

# Aviza Site General Plan Amendment and Zone Change Final EIR

SCH # 2017022011



## Table of Contents

<b>1</b>	<b>Introduction</b>	<b>1-1</b>
<b>2</b>	<b>Response to Comments on the Draft EIR</b>	<b>2-1</b>
<b>3</b>	<b>Changes to the Draft EIR</b>	<b>3-1</b>
<b>4</b>	<b>Mitigation Monitoring and Reporting Program</b>	<b>4-1</b>

# 1 Introduction

The Aviza Site General Plan Amendment and Zone Change Draft Environmental Impact Report (DEIR) was circulated for a 45-day public review period from March 1, 2018, to April 16, 2018, as assigned by the State of California Governor's Office of Planning and Research State Clearinghouse and consistent with CEQA regulations. Copies of the document were distributed to state, regional, and local agencies, as well as organizations and individuals, for their review and comment.

This Aviza Site General Plan Amendment and Zone Change Final Environmental Impact Report (FEIR) has been prepared in accordance with CEQA and state and local CEQA Guidelines and represents the independent judgment of the City, as CEQA Lead Agency. This Final EIR, together with the DEIR, technical appendices, and other written documentation prepared during the EIR process, as those documents may be modified by the City Council at the time of certification, will constitute the Final EIR, as defined in the State CEQA Guidelines, Section 15132, and the City of Scotts Valley's environmental document reporting procedures.

## 1.1 Document Organization and Framework

This Response to Comments package is organized as follows: **Section 1** provides a brief introduction to this report. **Section 2** provides a list of agencies and interested persons commenting on the DEIR. This section also contains individual comments followed thereafter by responses. To facilitate review of the responses, an index number (e.g., 1-1, 1-2, 2-1) has been assigned to each comment and to its corresponding responses. **Section 3** contains changes to the DEIR as a result of the comments by agencies and interested persons. **Section 4** contains the Mitigation Monitoring and Reporting Program.

City Staff has reviewed the comment letters, draft responses and information generated in the course of preparing the responses and determined that none of this material constitutes significant new information that requires a recirculation period for further public comment under CEQA Guideline Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in Section 15088.5.

## 1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be, "on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental

effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, considering factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”



## 2 Response to Comments on the Draft EIR

### 2.1 Agency, Organization, and Individual Comments on the Draft EIR

This section includes all written comments received on the DEIR and the City's responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underline for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the Draft EIR during the public review period:

Table 2-1: List of Written Comments Received on the Draft EIR

Comment Letter No.	Commenting Agency / Organization / Individual	Date
<i>Agencies</i>		
1	State of California, Governor's Office of Planning and Research / Scott Morgan	April 17, 2018
<i>Organizations</i>		
2	Monterey Bay Air Resources District	April 16, 2018
3	Affordable Housing NOW! / Tim Willoughby	March 20, 2018
4	Local Agency Formation Commission of Santa Cruz County / Pat McCormick	March 5, 2018
<i>Individuals</i>		
5	Michael Shulman	April 1, 2018
6	Diane Dearing	March 27, 2018
7	Louise Westphal Good	March 28, 2018
8	Vickie Birdsall	April 16, 2018
9	Ann Mekis	April 16, 2018
10	Kevin Barnett	March 28, 2018
11	Mary Lou DeFalco	April 16, 2018
12	b c	April 15, 2018
13	Thira	April 15, 2018
14	Michele and Jeff Jones	April 15, 2018
15	Shelley Noh	April 16, 2018
16	Sue Ann Murray	April 17, 2018
17	Kevin Waggoner	April 15, 2018

Comment Letter No.	Commenting Agency / Organization / Individual	Date
18	Tara Dalton Bensen	April 16, 2018
19	John Ertel	March 27, 2018
20	Scott and Lisa Petersen	April 16, 2018
21	Marina Earl	April 16, 2018
22	Jim and Marie Blain	April 16, 2018
23	Traci Pisciotta	April 16, 2018
24	John and Valerie Steward	April 15, 2018
25	Kendall Sullivan	April 16, 2018
26	Sharyl Maraviov	April 2, 2018
27	Marife Magno	April 16, 2018
28	Carol Weisenstein	April 13, 2018
29	Paula Boeckx	April 14, 2018
30	Chris Bensen	April 16, 2018
31	Barry Prentiss	April 16, 2018
32	Tavin Lanpheir	April 16, 2018
33	Al and Mary Telles	April 13, 2018
34	Tom Mason	April 13, 2018
35	Paul Reidt	March 8, 2018
36	Laura Rockow	March 27, 2018
37	Will Mezzell	April 16, 2018
38	Janet Tuma	April 15, 2018
39	Maggie and Tom Carli	March 31, 2018
40	Bruce Hull	April 16, 2018
41	Shelley Smith	April 15, 2018
42	Mark Davis	April 16, 2018
43	Michelle Caron	April 13, 2018
44	Dave Weaver	April 13, 2018
45	Frank Gramkowski	April 16, 2018
46	Jarob Todd	April 16, 2018
47	Angela Franklin	March 27, 2018
48	Christine Stanton	March 28, 2018
49	Paige Pentecost	April 16, 2018

Comment Letter No.	Commenting Agency / Organization / Individual	Date
50	Marilyn Gliddon	April 16, 2018
51	Carol Helms	April 16, 2018
52	Peter Sterbach	April 16, 2018
53	Rod Brownfield	April 16, 2018
54	Dan Schaefer	April 13, 2018
55	Janelle Mace	April 16, 2018
56	Loren Godman	April 16, 2018
57	Mary Karlton	April 16, 2018
58	Don Foley	April 16, 2018
59	Natalia Ericson	April 14, 2018
60	Dennise Stribling	April 15, 2018
61	Betty Dodd	April 13, 2018
62	John Pusey	April 14, 2018



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

April 17, 2018

Taylor Bateman  
City of Scotts Valley  
1 Civic Center Drive  
Scotts Valley, CA 95066

Subject: Aviza Site General Plan Amendment and Zone Change  
SCH#: 2017022011

Dear Taylor Bateman:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on April 16, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan  
Director, State Clearinghouse

1-1



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2017022011  
**Project Title** Aviza Site General Plan Amendment and Zone Change  
**Lead Agency** Scotts Valley, City of

---

**Type** EIR Draft EIR

**Description** The proposed project is a General Plan Amendment and Zone change for a portion (29 acres) of the 43-acre project site that is in the city limits of the city of Scotts Valley. The GP LUD would be amended from light industrial to residential medium high density and open space. Consistent with the GPA, a portion of the project site would be rezoned from I-L to R-M-6 and OS. There are no specific development plans associated with the proposed project. It is assumed that any such plans would be submitted subsequently as part of a future development application and that subsequent project-specific environmental review would "tier off" of this EIR.

---

**Lead Agency Contact**

**Name** Taylor Bateman  
**Agency** City of Scotts Valley  
**Phone** 831-440-5630 **Fax**  
**email** tbateman@scottsvally.org  
**Address** 1 Civic Center Drive  
**City** Scotts Valley **State** CA **Zip** 95066

---

**Project Location**

**County** Santa Cruz  
**City** Scotts Valley  
**Region**  
**Lat / Long** 37° 03' 10" N / 122° 01' 44" W  
**Cross Streets**  
**Parcel No.** 022-221-03  
**Township** **Range** **Section** **Base**

---

**Proximity to:**

**Highways** 17  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** Light industrial

---

**Project Issues** Air Quality; Biological Resources; Cumulative Effects; Geologic/Seismic; Water Quality; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Traffic/Circulation; Aesthetic/Visual; Toxic/Hazardous

---

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 3; Cal Fire; Department of Water Resources; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 5; Office of Emergency Services, California; Department of Housing and Community Development; Air Resources Board, Major Industrial Projects; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission

---

**Date Received** 03/01/2018 **Start of Review** 03/02/2018 **End of Review** 04/16/2018



**Monterey Bay Air  
Resources District**

Serving Monterey, San Benito, and Santa Cruz Counties

**Comment Letter #2**

24580 Silver Cloud Court  
Monterey, CA 93940

PHONE: (831) 647-9411 • FAX: (831) 647-8501

April 16, 2018

Taylor Bateman, Community Development Director  
City of Scotts Valley Planning Department  
One Civic Center Drive  
Scotts Valley, CA 95066

Email: [tbateman@scottsvalley.org](mailto:tbateman@scottsvalley.org)

SUBJECT: DEIR Aviza Site General Plan Amendment and Zone Change (#2017022011)

Dear Mr. Bateman,

Thank you for providing the Monterey Bay Air Resources District (Air District) the opportunity to comment on the above-referenced document.

The Air District has reviewed the document and has the following comments:

1. (Pg.51) Air Quality— The legal name of our agency is Monterey Bay Unified Air Pollution Control District. We are doing business as the Monterey Bay Air Resources District (MBARD). Please keep our agency name consistent throughout the document. 2-1
2. (Pg. 57) Air Quality, Regulatory Settings—Please note that the 2012-2015 Air Quality Management Plan (AQMP) is the most recent update to the 2012 Triennial Plan. To better reflect the purpose of the document, the title was changed from *Triennial Plan* to *Air Quality Management Plan*. 2-2
3. (Pg. 58) Air Quality, Federal and State—The State of California is currently divided into 15 air Basins. Please see the CARB website and corresponding Air Basin Directory as reference: [www.arb.ca.gov/ei/maps/statemap/abmap.htm#air%20basin%20table](http://www.arb.ca.gov/ei/maps/statemap/abmap.htm#air%20basin%20table) 2-3
4. (Pg.61, 62, 64) Air Quality, Regional—Please reference the updated 2012-2015 AQMP. Furthermore, the information about the 8-hour ozone standard should be updated. The current national 8-hour ozone standard is 0.070 ppm. This was properly noted in Table 6-1 on page 6-4. 2-4

Feel free to contact me if you have any questions. I can be reached at (831) 718-8021 or [hmuegge@mbard.org](mailto:hmuegge@mbard.org).

Best Regards,

Hanna Muegge  
Air Quality Planner

cc: David Frisbey, Planning & Air Monitoring Manager



## Affordable Housing NOW!

P.O. Box 2374, Santa Cruz, California 95063

(831) 295-2756

[affordablehousing-now.org](http://affordablehousing-now.org)

March 20, 2018

Taylor Bateman, Community Development Director  
City of Scotts Valley  
Planning Department  
1 Civic Center Drive  
Scotts Valley, CA 95066

### Affordable Housing NOW! Taskforce Members

Tim Willoughby, Chair

Naomi Bayer

Tom Burns

David Foster

Gail Jack

Linda Kerner

Don Lane

Dean Lundholm

Wendy Macias

Coco Raner-Walter

Bruce Van Allen

### Subject: Aviza EIR Response

Dear Mr. Bateman:

Thank you for including the comments that Affordable Housing NOW! made on this proposal during the NOP stage of the EIR preparation. Our concern then, as it is now, is that the Aviza site provides the City of Scotts Valley with a unique opportunity to provide an environmentally superior higher density housing project that addresses the City's critical need for more diverse housing opportunities. Nowhere else in the City is there a site that provides such excellent access to parks, schools, transit, and commercial services – the ideal formula for higher density, environmentally superior development. We appreciate that the EIR acknowledges our concerns, but feel that the document does not adequately address them. Let us explain why.

This EIR approaches the topic of environmental impacts in a fashion similar to the overall industry – that is, focused on the total physical impacts of the project, mostly in isolation of the larger land use context in the community. So, what it concludes is that the most environmentally superior project is one that contains the lowest number of total housing units. In fact, as the EIR notes, the “no project” alternative would be the most environmentally superior, as it would result in no change.

But, by addressing impacts in this fashion, the most critical environmental and social issues are ignored – namely, how efficiently is this critical infill housing site being used to meet the long-term needs of the community? Assuming that the City of Scotts Valley will continue to face growth pressures with limited land area to accommodate those pressures, lower density use of this site would, from our perspective, result in the greatest long-term environmental impacts. Just to give a few examples: per unit water use would be higher; per unit local traffic impacts and vehicle miles traveled (VMT) would be substantially higher; regional traffic impacts would be greater, as local workers would

---

*Working to create more  
affordable housing options  
for moderate to low  
income people who live  
and work in Santa Cruz  
County.*

*Every Unit Counts!*

need to commute from greater distances due to the lack of available affordable housing near job centers; per unit energy use and greenhouse gas (GHG) production would be higher; and per unit solid waste generation would be higher. And, additional land would need to be set aside for housing sites – partly because this site was not efficiently developed to meet the community's state-required housing need.

So, how does an EIR, within the constraints of industry practice, look at the impacts more broadly? We believe that there are opportunities to do this within the context of this analysis. The Population and Housing Section of the EIR clearly documents the imbalance of housing production that has occurred historically in the City, and the resulting demographic shifts over time: a dramatic increase in higher income households as a percentage of local households; a growing percentage of housing being more expensive single-family homes; a reduction in the availability of rental housing over time; and increased over-crowding by renters. In addition, local business owners would tell you that they have a hard time attracting and retaining service workers, and those who they do employ are commuting further distances from home to work.

In response to trends like this throughout of the State, new State legislation is being enacted that will demand better outcomes in terms of new housing production. In fact, the City should pay close attention to a new law that will require them to identify new sites to meet RHNA needs in future housing element cycles.

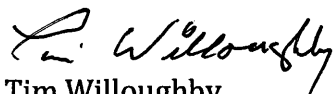
3-1

As a result, we believe that the criteria for significance in the Population and Housing chapter should be expanded to include, "utilizing urban infill sites in a fashion that does not address the needs for housing for the local workforce" and "encouraging development in a manner that, on a per-unit basis, is inefficient in terms of resource utilization and traffic impacts". Were those two factors taken into account, the environmentally superior project for this site would be a higher density housing project, not the lowest possible housing density.

While the EIR notes that, if a GPA and rezoning are approved, a future housing project could be submitted that could opt for higher densities than what is analyzed in the EIR (minimum 6,000 foot single family housing). The EIR would have us believe that the main focus of the current proposal is to shift land use from industrial to housing, and that the details for housing will be worked out later. We believe that approach does not serve the community well, and that it is essential that housing densities be addressed as part of this proposal.

Given the community's acute need for more diverse housing, the unique location and attributes of this site, and the environmental benefits of higher density housing, both the EIR document and City Council need to support higher density on this site now as part of the current GP amendment and rezoning process. Please accurately reflect the real impacts of this project and do the right thing for our community.

Sincerely,



Tim Willoughby,  
For Affordable Housing NOW

**Taylor Bateman**

---

**From:** Pat McCormick [Pat.McCormick@santacruzcounty.us]  
**Sent:** Monday, March 05, 2018 12:01 PM  
**To:** Taylor Bateman  
**Subject:** Aviza Site

Taylor-

I have reviewed the Notice of Availability and the referenced documents for the Aviza Site General Plan Amendment and Zone Change. On behalf of LAFCO, I have no comments at this time. Please feel free to contact me if anything comes up relative to LAFCO's authority.

-Pat

Patrick M. McCormick  
Executive Officer  
Local Agency Formation Commission of Santa Cruz County  
701 Ocean Street, Room 318-D, Santa Cruz, CA 95060  
[pat@santacruzlafco.org](mailto:pat@santacruzlafco.org)  
phone (831) 454-2055



4-1

April 1, 2017

Taylor Bateman  
Acting CD Director  
City of SV  
1 Civic Center Dr  
Scotts Valley, CA 95066

Via email: [tbateman@socttsvalley.org](mailto:tbateman@socttsvalley.org)

Subject: Aviza Project DEIR comments

Dear Mr. Bateman,

Please accept these comments regarding the DEIR. My comments cover three topics:

1. Transportation and Public Services
2. Proposed zoning density
3. Agency decision making sequence

#### Transportation and Public Services

In my Feb 25 letter addressing the Notice of Preparation, I requested that the DEIR take into consideration the immeasurable and exclusive value of this property for emergency evacuation of the Lockhart Gulch area. That letter noted that the Lockhart Gulch neighborhood has a singular established ingress and egress point via Mt. Hermon Road, and a very tenuous (under-maintained and not passable by normal passenger vehicles) emergency evacuation route up towards Weston Road. Bad weather events or fire could readily shut down both of these routes. The topography provides for relatively easy access from Lockhart Gulch (via Green Valley Road) to and through the Aviza property, which in turn provides access to Kings Village Road and beyond.

5-1

I did not find any mention in the DEIR of this topic. It is essential that the City secure evacuation access through this property, and the EIR seems a viable mechanism to do so. While a specific easement need not be established or even identified at this time, the concept and general location (based on topography) should be secured at the earliest possible stage so development planning can account for it.

#### Proposed zoning density

With Alternative C, the DEIR assesses a higher density zoning option allowing up to 240 units. It declares this alternative not only consistent with the project objectives but also supportive of City objectives relative to affordable housing and siting housing near transportation alternatives. While it is perhaps more a political than environmental impact, the smaller size dwelling units of a high density housing project also improves the City's overall housing stock balance. As noted in Table 14-2 (page 253), as of 2013 over 70% of the City's stock was single-family dwellings. The home construction that has occurred and is occurring since that time is more of the same. A balanced housing stock is critical to demographic diversity which is in turn essential for a dynamic, sustainable community culture and for effective civic decision making.

5-2



In this regard, CEQA 15126.2(c) requires the EIR to discuss project features that can cause significant irreversible environmental change. It states "Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely." The limited amount of available land area in the town center area, close to public transit, is such a nonrenewable resource. If this property is developed at a lower density, it diminishes Scotts Valley's ability to reach its overall goals for housing stock and balance. While it is possible that other un- or under-developed sites in Scotts Valley may eventually play host to higher density multifamily projects, none (outside of the Town Center project itself) have this proximity to public transit or the land mass to support a project of sufficient scale to include desirable amenities.

Further, the topographically depressed nature of this site makes it uniquely qualified to host taller building heights without adverse impact on adjacent properties. Because the site is rather large, higher building heights might not be needed to achieve the maximum permitted density, but the opportunity to do so could allow for a smaller project footprint which in turn will allow preservation of more of the surrounding fragile habitat (with proportionate benefits to flora, fauna, and water percolation). There are obviously many cost considerations involved but a higher density, taller building project could potentially be an environmentally superior project.

5-2

The DEIR analysis also may be overstating some of the potential environmental impacts of a higher density project in this location. Regarding traffic generation, a good percentage of the potential residents may work from home (either some days or most all days), due to improvements in communication technologies and changes in the global economy and the workforce that supports it. I suspect that the traffic generation rates used for residential dwellings have not adequately taken this into account. Additionally, because of shared infrastructure, higher density developments can more economically include water and energy efficiency measures that significantly reduce the per unit impact on these resources.

Based on the above issues, it would seem more accurate to identify Alternative C as an environmentally superior project to Alternative B (modest density). While an increased number of units at this particular site may in aggregate have higher impact than a smaller project, placing those additional units at this site rather than having them scattered around the city in smaller, less environmentally-efficient projects, could be a significant net gain. The demand for these dwelling units will not just vanish if not met at this site; the purpose of CEQA and this process is to recognize cumulative impacts and make decisions today that lessen their long term adverse impacts.

#### Agency decision making sequence

This last issue is more political than CEQA-related and might not warrant comment from the EIR consultant. But it is important to have it in the record and bring to the attention of the City decision making agencies at the earliest opportunity.

The project applicant is at this time seeking only a rezoning of the site and has not yet publicly brought forward a specific project plan. The EIR is appropriately evaluating a range of alternative densities, and this will support the decision making process when such plans are brought forward. However, it serves no benefit to the City to grant the rezoning request at this time. Doing so sends a signal as to what generally will be approved at some later date. But prior to completion of the updated General Plan, or a full comprehensive review of the specific project plans (including any PD-zoning deviations from the underlying zoning), the City cannot make an adequately informed decision as to how many dwelling

5-3

units and how those units should be configured on the site. It is akin to placing a dinner order at a restaurant whose menu has no prices – that’s fine for a diner with an unlimited budget but the City of Scotts Valley simply does not have the luxury to be so lax in its land use decisions.

The applicant wants the zoning decision now so they can either proceed to develop detailed development plans with some level of certainty, or to market the property (for sale to another developer) at a higher value due to the presumed certainty granted by the zoning designation. The City should not offer any such certainty until we more fully understand what this project will bring; the ball is currently in our hands and we should hold it until the time comes to take a shot. The EIR provides information relative to the potential environmental impacts of various project densities but it does not help us assess the economic, cultural, or demographic impacts of developing this significant city location. The worst case scenario is for the City staff, planning commission, or city council to get boxed into a direction, and be put under pressure to approve a development plan that may conform to the underlying zoning but does not meet broader City objectives. The best preventive measure against this is to decline to change the underlying zoning until a full development plan is brought forward. Approval of the EIR may be warranted based on the information available at this time, but it is premature to approve any change of zoning until much more information becomes available.

Michael Shulman



# DIANE DEARINGER

Comment Letter #6

Scotts Valley, CA 95066

March 27, 2018

Taylor Bateman, Community Development Director  
City of Scotts Valley Planning Department  
One Civic Center  
Scotts Valley, CA 95066

Dear Mr. Bateman:

We are writing to you to plead that the Planning Department keep the concerns of Monteville residents in mind when deciding the rezoning of the 43 acre Aviza Site from IL to RM6. As your recent report stated "all impacts should be less-than-significant levels with the exception of transportation & circulation under the cumulative condition, which would remain significant and unavoidable associated with future cumulative conditions", this is not our only concern.

We moved to this community hoping to lead our last years in peace and tranquility. Some of us pay exorbitant property taxes while living on Social Security. We realize that progress and noises are part of life as we overlook the loud sounds that come from Sky Park and the parties at the SV Community Center. However, the possibility of many homes next to us brings a nightmare of frustrations and lifestyle changes. Some of these are:

- Noises of equipment for a year or more
- Dirt traveling up and over us
- Traffic on the side access road—even if it is planned to be restricted to foot traffic only. We currently feel safe but with the additional flow of people who could wander into our quiet neighborhood, it would be concerning.
- Additional water usage even though we are told there is plenty, how about with future drought years?
- With additional children in the area (also adding to the noise level), stop signs on Bean Creek Rd. and Blue Bonnet Lane and Vicky Lane would definitely be needed. Currently it is becoming increasingly dangerous when driving on Blue Bonnet Drive to turn left on Bean Creek. The cars do not adhere to the 25 mph signs.

6-1

In 2019, Monteville will be celebrating its 50th anniversary. We chose to live here in this quiet community. We have already faced many problems in our lives and were hoping that our final years could be lived in this peaceful manner. Most of us are not in a position to pick up and move due to afore mentioned issues. What we would prefer is utilizing this property for senior or senior low-cost housing which would make it more compatible. Additionally, seniors would have easy access to the new Town Center Project as well as the other close-by amenities. This would cut down significantly on traffic. We urge you to keep our genuine concerns in mind as well as keep us informed on decisions.

6-2

Respectfully,

*Diane Dearinger*  
Diane Dearinger #18

*Yancy Dearinger*  
Yancy Dearinger #18

See additional signatures attached:

Additional signatures to March 27, 2018 letter to Taylor Bateman

Linda Fabry Linda Fabry 3-29-18  
PRINT NAME SIGNATURE DATE

Rachel Devereaux Rachel Devereaux 3-29-18  
PRINT NAME SIGNATURE DATE

Charles Smith Charles Smith 3-31-18  
PRINT NAME SIGNATURE DATE

Marcus Mauro Marcus Mauro 01-Apr-2018  
PRINT NAME SIGNATURE DATE

Nita Wright Nita Wright 4-2-18  
PRINT NAME SIGNATURE DATE

Steve Michaelson Steve Michaelson 11 APR 2018  
PRINT NAME SIGNATURE DATE

Ruth H Fogel Ruth H Fogel 01-APRIL-18  
PRINT NAME SIGNATURE DATE

Christy Drewry Christy Drewry 4-11-18  
PRINT NAME SIGNATURE DATE

\_\_\_\_\_  
PRINT NAME SIGNATURE DATE

\_\_\_\_\_  
PRINT NAME SIGNATURE DATE

\_\_\_\_\_  
PRINT NAME SIGNATURE DATE

\_\_\_\_\_  
PRINT NAME SIGNATURE DATE

\_\_\_\_\_  
PRINT NAME SIGNATURE DATE

201 Lockewood Lane  
Scotts Valley, CA 95066-3913  
March 28, 2018

Planning Department  
City of Scotts Valley  
One Civic Center Drive  
Scotts Valley, CA 95066

Dear Mr. Bateman:

I oppose the zoning change and development of the Avis Technology property. The three reasons involve safety:

1. In an emergency the ingress and egress are insufficient for a housing development. | 7-1
2. Water in on-site wells is probably not safe to drink. With so many ongoing projects, Scotts Valley Water District cannot determine if sufficient water will be available for numerous housing units. Infrastructure is generally insufficient. | 7-2
3. Can you prove that the soil is safe for the construction crew, kids to play in, and that the produce from the vegetable gardens planted by the homeowners will be safe to consume? This project reminds me of the Flint, Michigan Water Crisis. | 7-3

I oppose the zoning change and development; but with the generous parking and all the workstation hookups inside, the Avis Technology property is better suited for a tech company or business—even City offices.

Respectfully,



Louise Westphal Good

**From:** Vickie Birdsall  
**To:** [Taylor Bateman](#)  
**Subject:** ASvisa property  
**Date:** Monday, April 16, 2018 10:31:01 AM

---

I think a Senior Care facility would be an appropriate use of that property, something like Ageis in Aptos. Since traffic

is the most controversial topic for our city, it would cut down on the work time traffic residential properties generate.

The workers hours could be staggered for less congested hours and visitors would be arriving at various times. The

visitors would use our businesses as an added bonus. Most important it would provide a service for our growing

aging population without impacting our schools and streets. The possibility of providing low cost housing for the

employees could also be considered.

Thank you for considering this idea.

Yours truly, Vickie Birdsall [REDACTED]



**From:** Amekis  
**To:** [Taylor Bateman](#)  
**Subject:** Avila re-zoning  
**Date:** Monday, April 16, 2018 1:32:01 PM

---

To Whom It May Concern,

While I understand the need for more housing, I urge you to not rezone the Avisa property for density housing. After learning about the water situation our area faces, I do not think that with the other projects currently slated around Scotts Valley we should also rezone this property at this time. I think we need more infrastructure in place prior to this property being rezoned, and instead rely on our projects already in the pipeline to ease the housing stress until such infrastructure can be built.

9-1

Thanks,  
Ann Mekis

Sent from my iPhone

**From:** Kevin Barnett  
**To:** [Taylor Bateman](#)  
**Subject:** Avila site  
**Date:** Wednesday, March 28, 2018 8:59:11 PM

---

As a resident of Scotts valley I am opposed to a medium or high density development on the aviza site. The town is already getting overly congested - we are eroding the things that make it a great place to live.

10-1

Kevin Barnett

**From:** marylou\_def@comcast.net  
**To:** [Taylor Bateman](#)  
**Subject:** Avila Zoning Change  
**Date:** Monday, April 16, 2018 10:03:26 AM

---

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

11-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts

Impact Significance: Significant and Unavoidable

Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

Mary Lou DeFalco  
Scotts Valley resident and concerned citizen

Sent from my iPhone

**From:** b c  
**To:** [Taylor Bateman](#)  
**Subject:** Avisia site zoning  
**Date:** Sunday, April 15, 2018 8:51:51 PM

---

Do not change zoning of the former Avisia site to allow for 300+ new housing units (to Residential Medium-High Density).

This is simply irresponsible:

- 300 in one shot is 3X the growth the city has experienced since 2010!
- our current road/traffic infrastructure cannot accommodate the impact of adding this many homes concentrated in that small space at the center of town
- water availability and infrastructure cannot support this many units either
- the ground was contaminated by the previous Fab facility...will it ever be safe for residences? Will the renters be made aware of the history of the site?

12-1

**From:** thiraelaine@gmail.com  
**To:** [Taylor Bateman](#)  
**Subject:** Avisa  
**Date:** Sunday, April 15, 2018 9:28:21 PM

---

Comment Letter #13

Hello, my name is Thira. I am concerned with putting housing in the Avisa property. I live in Loch Hart Gulch behind Sky Park. Our neighborhood nor town can support anymore traffic. Thank you,

Thira

13-1

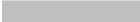
**From:** Jeff Jones  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza property  
**Date:** Sunday, April 15, 2018 9:20:35 PM

---

We live on Viki Ct., right off Bean Creek Rd. near the Aviza property. I just read in the Sentinel paper about the development of the property with homes or condos. I cannot imagine 52 to 240 dwellings, all impacting the traffic on Bean Creek immensely. Traffic from the middle school and traffic from people going to and from work seem to have put us at a maximum already! Traffic trying to go from Blue Bonnet and Bean Creek Rd. is hard enough. Please take everything into consideration before this development is allowed to go through.

14-1

Thank you,  
Michele and Jeff Jones

  
Scotts valley

Sent from my iPad



**From:** busy3angels@aol.com  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza  
**Date:** Monday, April 16, 2018 1:59:51 AM

---

Dear Taylor,

I am writing to you in regards to this possible housing project at Aviza. With all due respect, I think this is a horrendous idea. Scotts Valley keeps adding more & more housing with adds more people which will include children. Where are all of these children going to fit into our schools!! We have 1 middle school & 1 high school. They are over crowded already. Very overcrowded.

I have been in Scotts Valley almost 30 years and have seen many changes. I am raising my children here and I have seen them struggle in our overcrowded schools. Please don't let this housing project develop.

Our town is starting to turn into a city which is the opposite of what people want. People move here to get away from the city life. Please don't let Scotts Valley turn into every other city like San Jose or Santa Cruz. This will only cause us to have an overpopulated area to live in.

Thank you,  
Shelley Noh

15-1

**From:** Sue Ann Murray  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza development  
**Date:** Tuesday, April 17, 2018 12:11:08 PM

---

I would like to express my concern on the property being rezoned to accommodate housing. I am not against the property being developed for houses, but would like to see the limit of at minimum 10,000 sq foot lots designed for a single family home. Our water system, school system and city services are already being overwhelmed. Traffic with the new homes being developed at the town center will be detrimental to the quality of life for those of us in Scott's valley. It also to those in the Felton area and beyond. Also, the habitat and environment will be affected by the amount of ground work required to built homes.

16-1

Stay the course and leave it as industrial zoning or make it minimally invasive with low density housing.

Sue Ann Murray  
Scotts Valley

Sent from my iPhone

**From:** Kevin Waggoner  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza development comments  
**Date:** Sunday, April 15, 2018 8:41:41 PM

---

Taylor,

Thank you for taking comments about the potential development of the Aviza property. I am a homeowner on Green Valley Rd. so naturally my comments are centered on that.

\* Walking access from Green Valley Rd. to skypark: many people walk up the side of lockheart gulch road, which has no sidewalk and blind corners. It would be much appreciated if there was walking access from Green Valley Road though to skypark/Kings village.

\* Green valley road frontage: my understanding is that the property line on the northern edge goes to the middle of Green Valley Road. I would like to ensure that the property owners support the private road by contributing to pavement maintenance, trimming and clearing the road frontage, and keeping the road clear as the sand bank continues to encroach on the road over time.

17-1

Thank you for your time.

Cheers,  
Kevin Waggoner

**From:** Tara Dalton Bensen  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza development  
**Date:** Monday, April 16, 2018 9:49:41 PM

---

Hello Taylor,

Just wanted to drop you a quick note regarding the Aviza proposed rezoning. I have been a resident of Scotts Valley for 15 years. With all the development that is currently either planned or underway in the city of Scotts Valley, I see the need for a responsible, sustainable plan for future development. I therefore see option A, residential medium density with 10K sq ft minimum lot size, 52 dwellings, as the best option. There is great demand for this type of single family home and limited inventory in SV. It allows for a minimal impact on our water supply and other resources while maximizing property tax revenue. Furthermore, I would hope that any developer could be responsible for needed road and sidewalk improvements to mitigate the increased traffic. Our town is still in dire need of better pedestrian and bike access across town and to/from our schools.

18-1

Thanks for your time.

Tara

**From:** John Ertel  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Development  
**Date:** Tuesday, March 27, 2018 8:55:21 PM

---

To whom it may concern,

I want to say that I am adamantly against high-density housing in the Aviza site unless it is on the lower-end of the scale OR is done in such a way that the traffic concerns are addressed. Traffic on Mt. Hermon Rd is already congested and the new Starbucks is only going to make that worse. I moved to Scotts Valley 7 years ago because it had a charming, small-town feel. As I watch the plans for the Town Center (4 stories!) and the multiple construction sites on Scotts Valley Dr and proposed building by the Hilton, I am becoming alarmed and concerned. Scotts Valley already has concerns about its water supply. What will happen if we increase the population? Have we looked at that? What about traffic and infrastructure? What about egress in times of disaster? Will we need more road improvements and additional services like police and fire?

I spent part of my youth in the San Ramon/Dublin area and the rest in Pleasanton. If you want to see what uncontrolled city planning looks like, head over there. Both areas had a rural, small town feel that has been destroyed by unrestricted building of strip malls and housing. There's little charm and open space left. It leaves me wondering why Scotts Valley feels that it needs so much housing. What is the end goal? More revenue? What is the revenue to be used for? In the past, we passed bond measures for funding and that has worked.

I am not against progress. But it should be done in a thoughtful, well-planned manner, with lots of citizen feedback. We have a jewel in the Santa Cruz Mtns. I'd hate to lose that.

Respectfully,

John Ertel

  
Skypark

19-1

**From:** Lisa Petersen  
**To:** [Taylor Bateman](#)  
**Cc:** [Scott Petersen](#)  
**Subject:** Aviza Draft EIR  
**Date:** Monday, April 16, 2018 10:14:41 PM

---

Dear Mr. Bateman,

I would like to make several comments/questions regarding the Aviza draft EIR. These are as follows:

1. I was wondering why there was not a separate Traffic Impact Analysis provided for the draft EIR. It was difficult to look through the EIR document and piece together the traffic information. I would like to request a separate TIA be prepared for this proposed general plan amendment/zoning change and for future impactful projects/zoning changes in the City.

20-1
2. I was wondering why the EIR stated that the Highway Capacity Manual (HCM) for 2010 had limitations so that it could not be used to determine intersection delays at La Madrona/HWY 17 SB Ramps/Mt. Herman Rd and the HCM 2000 needed to be used for that determination.

20-2
3. The Aviza site seems to be almost empty. I was surprised to learn from the report that the current tenant occupancy is mostly full (145,860 sf of the building is leased according to the report). I am wondering where this information came from and how many tenants are actually in the building? What is the space currently being used for?

20-3
4. What projects were analyzed with the cumulative plus project traffic analysis?

20-4
5. The usage of the water for the site in the EIR is assuming a 10-year average for the area which does not seem legitimate considering a number of these years the City residents were required to restrict water usage because of drought. Additionally, using the average of 2.67 residents per unit at this site based on Scotts Valley's overall average will not be the case with a new development that will have a number of children. Many of the existing residents within Scotts Valley are empty nesters and have lived in the City for many years. To determine actual number of residents that will use this site, the average number of residents in residential housing built in the last 10 years should be used and compared with housing square footage.

20-5
6. The City's Transportation Element establishes an acceptable LOS along Mt. Herman Road as D, yet the Cumulative plus project analysis will exceed this threshold. The increase in PM peak hour trips from this project will cause further impact to this already heavy PM trafficked corridor of Mt. Herman Road. Reduced development Alternative A would cause less impact to this corridor and I would encourage the City to support Alternative A.

20-6

Thank you for giving me the opportunity to provide these comments and questions.



Please let me know how I can sign up to be given updates on this project.

Sincerely,

Scott and Lisa Petersen  
Scotts Valley

**From:** Marina Heistand  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Housing  
**Date:** Monday, April 16, 2018 3:18:01 PM

---

Just my two cents..... I would prefer to see less dense housing there. Dense urban housing is great, but not for everyone. My husband and I are saving to buy and are doing so to get out of sharing walls with other people. I would like to see some of the housing projects (not all of them) be single family detached homes. I also have concerns about traffic in that area. I don't see how the roads can handle a dense housing projected on the Aviza site and at the projected town center.

21-1

- Marina Earl  
Sent from my iPhone

**From:** Jim Blain  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Options and related comments  
**Date:** Monday, April 16, 2018 4:43:51 PM

---

To whom it may concern:

We have lived here in Scotts Valley for 55 years. We appreciate the area its beauty ,low crime, shops and community services .

With regard to the pending planning AVIZA options , Alternative A seems reasonable. However, we do have major concerns in the invasion of Agenda 21 and where things seem to be headed in auto /truck traffic and the number people per square foot in Scotts Valley. Water resources,added fire hazards,and a potential for big increases in property and service taxes can not be ignored. The proposed new town center with hundreds of apartments plus the AVIZA plan needs to be discussed again as one development with better information as to traffic impact .

22-1

Regards,  
Jim and Marie Blain

**From:** Traci Pisciotta  
**To:** [Taylor Bateman](#)  
**Subject:** AVIZA Options Vote  
**Date:** Monday, April 16, 2018 6:39:31 PM

---

I vote **No Project** for now.

We have enough residential projects going on and plenty of residence as is. Our small city is getting too crowded putting stress on resources and public services.

23-1

Thank you,  
Traci Pisciotta

**From:** John and Valerie  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Options  
**Date:** Sunday, April 15, 2018 12:31:11 PM

---

Dear Taylor,

My husband and I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. We urge city leaders to consider the negative impact this zoning change will have on our city. Increased traffic and pressure on our city services not to mention water usage.

24-1

Per the EIR:

Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
 Impact Significance: Significant and Unavoidable Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Sincerely,  
 John and Valerie Steward



Scotts Valley, CA 95066

**From:** Kendall Sullivan  
**To:** [Taylor Bateman](#)  
**Subject:** AVIZA Options: I Vote Alternative A  
**Date:** Monday, April 16, 2018 9:52:57 AM

---

Dear Taylor,

I believe that in an effort to maintain the integrity of Scotts Valley, not more than 52 new homes should be built on the Aviza property. I vote Alternative A.

During peak hours, it's not unusual to see a traffic backup from the Mount Hermon exit onto HWY 17, occupying the right hand lane. This has been going on for some time before the street work currently being conducted on Mount Hermon.

Besides the traffic increases, adding more residences will also add a strain to our public services and resources.

We can grow Scotts Valley, however we need to grow responsibly, and the growth needs to be planned and well thought out. We need to consider the long term and new incoming residences, we need to maintain the integrity of Scotts Vally, and keep it a city to be proud of.

Thank you for your time and efforts. Please plan wisely.

Sincerely,  
---Kendall

25-1

**From:** Sharyl  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Project Public Comments  
**Date:** Monday, April 02, 2018 3:04:51 PM

---

Dear Taylor,

Recently, due to the inordinate amount of new construction in Scotts Valley, it has come to my attention the need to find ways to speak out about how irresponsible this growth seems. Especially, how can city planners and individuals on the city council allow growth that creates a financial and infrastructure strain on our community resources. One project in particular that certainly needs to remain within reason, is the Aviza property re-zoning, it would be incredibly irresponsible to allow the re-zoning of this area for any more density than R-1-10. It doesn't take an engineer to figure out how much of a traffic impact high density housing would cause in addition to the proposed town center housing.

I also feel that the re-zoning of the property at Bean Creek and Scotts Valley drive is atrocious, the look of the area is absolutely terrible and I am appalled this type of planning and growth is getting approved in Scotts Valley. I certainly hope the planning dept and the city council members take into account some sort of urban planning methods and consider what is financially and environmentally sound for our city.

Regards,

Sharyl Maraviov

26-1

**From:** Marife A. Magno  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Project  
**Date:** Monday, April 16, 2018 6:37:21 PM

---

I am very concerned at the proposed population growth of Scotts Valley. While I recognize that the city needs more money to provide services, I am wondering if adding all these homes is the answer.

What attracted us to this area was the smaller population of Scotts Valley versus the rest of Silicon Valley. Years ago, I had read somewhere that the water table or source could provide comfortably for a certain population which I believe we have already reached. How will these additional homes impact on that? Is there a responsible plan to address this?

27-1

Also, the roads, particularly the busier intersections will be more congested than they already are with the number of cars that will be added due to the additional homes. On top of that, will additional parking spaces be provided for all those commercial establishments the city is hoping to will materialize?

Before the city approves all this expansion, I would like to see it address the needed infrastructure that will make living here not a pain.

Thank you.

=====

The happiest people don't necessarily have the best of everything; they just make the best of everything they have.

-Unknown

=====



**From:** Carol Weisenstein  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza project  
**Date:** Friday, April 13, 2018 10:25:01 AM

---

Hello Taylor,

I'm writing to express concerns over the proposed rezoning of the Aviza site. In reviewing the materials, it appears that up to 84 dwellings are proposed.

If this were the only project in the works, it might be less of an issue, but there are three other residential projects on the current list - Enterprise, Terraces, Dunslee - for nearly 100 additional homes. And word is that there are several more larger projects on the horizon.

My concerns are traffic mitigation and water supply.

Regarding water, the Aviza EIR indicates that the SVWD has provided a Will Serve letter. In light of the continued concerns over water, and how we are asked to strictly conserve, it's important for residents to understand the source of water for 200+ new homes in the current projects. We are all painfully aware that drought conditions can return at any time, and interestingly, the City of Santa Cruz has announced plans to return to a Stage 1 water alert.

When the project is scheduled for Planning Commission review, I request that actual data is provided to show how the SVWD plans to supply the current and future projects and the impact on rates. Also, it would be very helpful to understand additional traffic issues will be mitigated.

Thank you,  
Carol Weisenstein

28-1

**From:** Paula Boeckx  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property - hear your community! We don't want this!  
**Date:** Saturday, April 14, 2018 11:11:21 AM

---

Hi,

I am writing to you in regards of the possible development of the Aviza Property. Please consider the environmental impact these homes will bring. We are a small town, we cannot handle this. There is already so much traffic on highway 17. This will make the traffic much, much worse. Not to mention possible collisions. Our schools and daycares are almost full. Does everything have to be about money? Can't we stop for a second and think about the Nature and how it she will be impacted? People in this town do not want this. Please do the right thing and do not allow this to happen. People will be forced to move, leave their jobs and sell their homes.  
Is that what you want?

I hope you will do the right thing,  
Regards,  
Scott's Valley Residents

Sent from my iPhone

29-1

**From:** Chris Bensen  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property Comment  
**Date:** Monday, April 16, 2018 9:40:21 AM

Hi Taylor,

I hope this email finds you well. I have some feedback regarding the Aviza property. We live in Skypark for the last 15 years and have seen a lot of great growth and some less than idea. While I'm not against Scotts Valley growth, I do feel that it needs to be done in a smart fashion. and my concerns are as follows:

#### 1. Water

Quite simply our water is out of control. The price for residents has skyrocketed over doubling and we are paying the water manager way too much money. The #1 reason for all the rate increases is to cover pension and health insurance costs and when the water manager compares the rate increase to a daily latte at Starbucks, well, she is clearly out of touch, but I digress. I strongly feel that the developments needs to pay for the increased stress they are making a profit from by adding to our small water district. It's not like we are getting better water out of the deal. We have some of the hardest water around requiring every house have a water softener, and it tastes like ass requiring heavy filtration or bottled water further increasing the costs.

30-1

#### 2. Traffic

Mnt Hermon and all other roads are not designed to handle the increased traffic of 400+ homes specically on the Aviza property. As it is without traffic it takes me 15 minutes to get from Skypark to the old Borland campus via Mnt Hermon to Hwy 17. This used to take 12 minutes 15 years ago. And this is not during traffic times. The lights are timed horribly and the middle school is right in the middle of town with a start time at peek commute hours. Simply said, the roads are not designed to handle this much traffic. I'm totally in favor of park and rides and buses like the Google or Apple bus, and I think there needs to be more of this, but I do think charging Apple, Google and Facebook fees to use our roads and parking wouldn't be out of the question. It is in their best interests as well. Once the town center is build I believe there will be another stop light as well, which I'm totally against especially with the poorly timed lights already in place.

30-2

#### 3. Sidewalks

If you try to walk around town it is impossible to walk safely in some parts of the town. I would absolute love to walk around the town with you or someone else and point out the shortcomings and safety hazards. The solution to this is require the developers build proper sidewalks, don't let them force these projects on our town, rather require them to make our town better for everyone.

30-3

#### 4. Final words

Finally I just want to say these developers want to make money and we want their tax revenue. I get it, but they want to make money. They want to be here. Make them do a good job for our citizens. That's who you represent. Let's have some standards!

Thanks,  
 Chris

**From:** Barry Prentiss  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property Comments  
**Date:** Monday, April 16, 2018 11:46:20 AM

---

Thx for the heads up!

I have lived in Scott's Valley for 31 years and have seen considerable development over the years, not always aligned with the wishes of the residents here.

I am in favor of adding housing, in general, but there are unmitigable constraints, mostly around water supply. Low density housing would be far better than high density for this reason. All water systems must be installed and paid for by the developer, hopefully during the road widening efforts rather than afterwards.

Also, for the Aviza site, I would require a second access road for fire and earthquake safety's sake.

All of the roads entering this site all the way to Mt Herman and Scott's Valley Drives must be widened and walkways/bikeways required.

Thx,

Barry Prentiss

31-1

**From:** Tavin Lanpheir  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property Rezoning  
**Date:** Monday, April 16, 2018 12:08:44 AM

---

Hi Tiffany,

I'd like to write you as a member of the Scotts Valley community regarding the possibility of rezoning the Aviza property for high density housing.

With the recent approval of high density housing in the planned city center, potentially housing at valley green golf course, and the various department throughout our city, I ask that you please stop from rezoning the Aviza property.

I've lived in Skypark for 5+ years and have only seen the traffic increase on Mt Hermon Rd. (Note that we expect to see another 1,100 estimated travelers per day due to the town center development.)

We moved to this city because of great schools, safe neighborhoods, being close to family in Aptos, and of course the small community and green space. With the amount of housing, specifically high density housing, being approved I have some concerns with the city's ability to provide public services at its current service level and how high density housing to this property would impact our community.

Our school district is already underwater, our water resources are slim, and our police/fire departments are going to be stretched to support more growth then that has been planned.

Based on the already approved housing to our city center, plus other projects, I ask that you please not approve rezoning the Aviza property due to its impacts on public services and traffic. This site, if safe and no longer contaminated, would be great as a business campus or even a future location for a police station, fire house, or even a hospital since it would be close to the town center.

Thanks for reading and considering my feedback.

Regards,  
Tavin Lanpheir

**From:** Al & Mary Telles  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property  
**Date:** Friday, April 13, 2018 6:54:01 PM

---

Taylor,

**NO PROJECT:** Leave zoning as is, lease existing industrial buildings.

We are responding to the article in the Santa Cruz Sentinel asking for peoples input on rezoning and developing the property called Aviza. We feel it should continue to be commercial with companies on the property. The proposed developments that are now being talked about should be carefully considered as to what they will do to the city as a whole. Development of the Town Center should be #1, followed by careful planning, so we do not turn out to be SCOTTS JOSE!!

33-1

We remember when the city was new, 50+ years ago, with a population of 1,000 and the general plan set the total population to be no more than 12,000! It's over that now.

We have worked very hard to develop parks and Rec., water allotments, police and fire protection in addition to sewer and water reclamation facilities over these years. Do we know if we can handle more people without increasing assessments, bonds, and traffic congestion?

Al & Mary Telles

[Redacted]

SV Residents 52 years

**From:** Tom Mason  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza property  
**Date:** Friday, April 13, 2018 11:09:36 AM

---

I believe that the Aviza property zoning should remain as is . The property was bought as a manufacturing site and should stay that way. Manufacturing does not impact schools,police, sewage treatment, water and traffic like residences do. The traffic on Mt. Herman Rd is already terrible and will only get worse.

34-1

Are we going to continue building until we run out of water and our streets turn into parking lots ? We simply do not have the infrastructure to handle all the proposed developments.

Thank You,

Tom Mason



Scotts Valley

**From:** Paula Reidt  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property  
**Date:** Thursday, March 08, 2018 1:35:31 PM

---

Dear Mr. Bateman, I have thoughts about the Aviza Property and the property by the Hilton Hotel. I think the Aviza property would be a prefect place for Senior living versus the thought about senior living by the Hilton . Where the Aviza property is located you have easy walking to the Library, shopping, post office, eating and theaters and no need for a car. Location, location, location is the key for this day and age. I know this because I live in Monteville and can walk to so many places. My favorite is Sky Park and its wonderful walking loop. I also think it would be a good neighbor feeling is Aviza built senior housing that backed up to Monteville senior homes. Gives everyone a quiet back yard neighbor!

So when considering property and its use please think about availability to seniors needs. We talk about need for housing don't forget our older population is in need also.

Thank you for your time on these subjects. It's very important for the future of our community to get it right the first time!

Paula Reidt, Monteville

35-1



**From:** Laura Rockow  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza property  
**Date:** Tuesday, March 27, 2018 8:11:10 PM

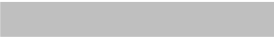
---

As with all things in Scotts Valley, I'm deeply concerned about water supply and ability to further allocate more to new developments such as is being proposed for this property.

I don't approve of all the planned development I've seen proposed and I'm disgusted by the complete deforestation that happens little by little with each new project. Keep Scotts valley small and green. Stop the constant increase to our already miserable traffic problems. It's in your power to keep Scotts Valley small and quiet. We don't want concrete poured over every last inch of soil. Stop the building and save our town.

36-1

Thank you!

The Rockow Family  


Sent from my iPhone

**From:** William Mezzell  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Property  
**Date:** Monday, April 16, 2018 10:36:11 AM

---

I'm OK with some residential down there but not dense residential. One way in/out presents a potential for a tragedy in the event of a fire or flood.

37-1

William Mezzell

**From:** janet.tuma@pacbell.net  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza property  
**Date:** Sunday, April 15, 2018 3:20:47 PM

---

Dear Taylor,

I am opposed to the rezoning of the Aviza property into a residential development. allowing 52 residential units or any of the other proposed residential options. One issue we cannot ignore is the stressed water supply during dry years. We cannot assume there are no significant drought years ahead. This issue impacts current residents and businesses as well as future residential properties that will place additional demands on the limited water supply. I have not read anything indicating if the sewer treatment plant will be able to manage the additional impact from all the building taking place. I also am opposed to rezoning due to the traffic congestion this will cause in that area. The traffic forecast for 2030, based on a cumulative buildout, is for delays in the “unacceptable” range for commuters at peak hours at two intersections: Mount Hermon Road-Scotts Valley Drive and Mount Hermon Road-Highway 17 southbound.

38-1

I would agree with leaving the property zoned as is.

I am a strong supporter of affordable housing, for teachers, police, firemen, and so many others who work in our community who want to live here. But packing in housing to the extent our small town’s limited resources have to be stretched beyond means it has will impact the quality of life in this area for old and new residents alike. There is already substantial building taking place and planned – let’s not overwhelm the valley we live in

Thank you for reading my comments.

Janet Tuma  
Scotts Valley, CA

**From:** Maggie Carli  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza rezoning  
**Date:** Saturday, March 31, 2018 4:13:31 PM

---

I am writing to make you aware of my concern over all of the high density housing being approved. My husband and I have lived in Scotts Valley for the mast 22 years. It seems like the projects have been approved over time and all are hitting now. We believe any project approved prior to 5 years and not acted on should be submitted for approval as a new project and scrutinized in the present climate of city infrastructure and resources. Of major concern is our water. With all of the present development underway it is irresponsible to approve any other project.

39-1

Maggie and Tom Carli

Sent from my iPad

**From:** Bruce Hull  
**To:** [Taylor Bateman](#); [Michelle Edwards](#); [Jenny Haruyama](#); [Jim Reed \(EXT\)](#); [jackdilles@gmail.com](mailto:jackdilles@gmail.com); [Stephany E. Aguilar \(EXT\)](#); [Randy Johnson \(EXT\)](#); [Donna Lind \(EXT\)](#)  
**Subject:** Aviza Site General Plan Amendment and Zone Change  
**Date:** Monday, April 16, 2018 4:09:08 PM

---

As described in the Sentinel, the development of the Aviza site and Skypark will both generate “unacceptable” levels of traffic. This seems to be the case for both of them independently of each other, so that if they are both completed, the traffic levels will be “doubly unacceptable”. I think this is a vast understatement. Most people will say the levels of traffic along Mt. Hermon Road and elsewhere are already unacceptable.

I suppose YIMBY must be happy since we are on the verge of a huge building boom. One of the problems with YIMBY is that he does not really have a backyard. Once YIMBY finally gets a piece of property and has a backyard, he will eventually realize what is at stake and flip to NIMBY. Nevertheless, this will not happen until the increased building impacts are already in place. Meanwhile YIMBY will push for continued development regardless of the future consequences on the community. “Build baby build.”

“If you build it, they will come.” The trend was already foreseen when I was in college. The people with the most money are moving towards the coasts. I see nothing to stop this trend. People with more money will continue to move here. Thus affordability will continue to be a big issue, and there is no way to build our way out of it because more people will be born here and more people will continually move here.

Apparently, according to the High Tech Meetup group, we now need to build affordable housing for high-tech workers. Run this by people you know in the community. This has been one of the main groups helping to ruin affordability. The High Tech Meetup group is a big supporter of YIMBY. Building affordable housing for high-tech workers will do nothing to help teachers, police, fire fighters, janitors or security guards etc.

Since it seems likely that all this development will go forward, let’s at least provide sufficient parking in these developments. None of these new developments ever has sufficient parking. There is not sufficient parking where I live off of Lundy Lane. There is not sufficient parking in Skypark. The transit

district is already complaining about the impact of the parking for high-tech buses in their lot. The overflow of parking from these two new developments will go to Skypark, the Senior Center, the Transit Center, the Library and Nob Hill parking lots. It will be crazy.

Sincerely,

Bruce Hull

**From:** Shelley Smith  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza site  
**Date:** Sunday, April 15, 2018 3:28:11 PM

---

Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

41-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
Impact Significance: Significant and Unavoidable  
Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,  
Shelley Smith  
Resident of Monteville  
[REDACTED]  
Scotts Valley CA 95066

**From:** Mark Davis  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza site  
**Date:** Monday, April 16, 2018 6:31:31 PM

---

I prefer Option C: leave zoning as is and lease the property to business.

There is no guarantees the ground water is perfect for home dwelling. I would not want to live on top of a superfund property and eventually get polluted or cancer after 10 to 20+ years of government "approval".

When the water in the polluted Michigan city is perfect to drink let's then discuss building homes on this site.

Regards,

Mark DAVIS



42-1



**From:** Michelle Katsky  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Zoning  
**Date:** Friday, April 13, 2018 6:43:21 PM

---

Dear Mr. Bateman,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

43-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts

Impact Significance: Significant and Unavoidable

Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,

Michelle Caron  
Scotts Valley Resident

**From:** Dave Weaver  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza Zoning Change  
**Date:** Friday, April 13, 2018 8:53:01 AM

---

Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

44-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
Impact Significance: Significant and Unavoidable  
Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,  
Dave Weaver

**From:** Fritz Gramkowski  
**To:** [carcangeli@me.com](mailto:carcangeli@me.com); [debbie.muth@sbcglobal.net](mailto:debbie.muth@sbcglobal.net); [dtimm@montalvohomes.com](mailto:dtimm@montalvohomes.com); [rosannacamino7@gmail.com](mailto:rosannacamino7@gmail.com); [rdonovan@jdvhotels.com](mailto:rdonovan@jdvhotels.com); [Taylor Bateman](#)  
**Subject:** Aviza Zoning Change  
**Date:** Monday, April 16, 2018 5:03:58 PM

---

Dear Commissioners,

As a resident of Skypark in Scotts Valley I am writing to voice my opposition to change of zoning being considered to Aviza site. It seems the EIR has made several favorable assumptions in its analysis to ensure that the proposed changes meet the towns general plan's requirements and that a more rigorous analysis using less generic and biased assumptions is required.

For example the traffic analysis in the EIR which maybe technically correct are very misleading especially when considering the impact on traffic.

The study does not take into account the current site is unoccupied and has a baseline of near zero daily trips not the assumption used an occupied light industrial use which produces are current traffic.

Additionally the EIR does not address the impact of additional housing on our already overcrowded and under funded schools. The report mentions payments to state school impact but if the board should seek direct contribution to our local schools. It seems state law may make it challenging to ensure that any future residential development provide adequate funding to our local schools and absent any work around the zone change should be opposed. Also instead of using generic equations to estimate the impact on enrollment I suggest using data from recent local developments which are likely significantly higher than the 0.4 new student per dwelling used in analysis. The school enrollment data used is 4 years old, isn't more up to date data available?

Thank you for your time and consideration and I appeal to you to please proceed cautiously and with the communities best interest in your planning decisions. While the report maybe technically accurate from a legal perspective I ask you to consider the more likely outcomes of increase congestion on the Mt Hermon corridor and on Blue Bonnet.

Regards  
Francis Gramkowski

45-1

**From:** jorobtodd  
**To:** [Taylor Bateman](#)  
**Subject:** AVIZA  
**Date:** Monday, April 16, 2018 12:21:51 PM

---

This is totally irresponsible. This small town does not have the water, roads or schools to support all these new homes. Apart from that, we don't even have a town center. How about trying to attract new businesses to Scotts Valley or use that space for a proper community center with a pool, indoor soccer and basketball courts. Scotts Valley has nothing to offer except more homes these days!!!

46-1

Sent from my Verizon, Samsung Galaxy smartphone

**From:** Angela Franklin  
**To:** [Taylor Bateman](#)  
**Subject:** Aviza  
**Date:** Tuesday, March 27, 2018 6:15:01 PM

---

Just reading about the Aviza property in the SV Banner today. Just another example of the irresponsible growth in Scotts Valley. The property only has one way in and one way out and they want to rezone it for possible high density housing. Add the 300+ home they want to put in the Town Center and Kings Village Rd\BlueBonnet\Bean Creek will just be parking lots. Good luck going anywhere for the people that live in that area. Also think about the traffic on Mt. Herman and the intersection of Mt. Herman and La Madrona (that intersection is already rated as having a mediocre level of service). I tried to read the 100 page traffic EIR but you have to be a rocket scientist to understand it. The Banner says the EIR realizes that traffic will be an issue and there is NO way to mitigate that. **WOW** that alone should tell you that we should not be building that many homes there (I don't even think the traffic report was done with the Town Center in mind). If it is rezoned as High Density that would allow for 240 housing units, if rezoned as Medium it would allow for 84 and if they choose the "Reduced Housing Development" option would allow for 52. Not sure how everyone else feels but I feel the 52 home option is the best fit for that property considering the lack of in\out access, the added traffic it would lend to the surrounding road system (especially once the town center is in place). Or even better recruit a large tech company to build a campus there. Bring some high paying jobs to the city. That would also bring\keep people in the city to spend money. We need to be responsible in our building. Just because we have land doesn't mean we should pack it to the brim. Just because we are putting together a water sustainability plan doesn't mean we should build till we feel like sardines. We need to think of the big picture and think about how ALL current development projects are going to affect each other and how they will affect the city as a whole once they are all completed. The EIR does not (correct me if I am wrong) look at things that way. They look at the individual project and the current environment. Not how it will affect things when other surrounding developments are in place. For example think how the Mt. Herman and La Madronna intersection will be on a Monday morning after the Aviza (52-240 homes), Town Center (300 homes), Glen Canyon (52 Homes) and Gateway South (180 rm Hotel) are built? How will all of Felton, Ben Lomond get out of town in addition to all the people in these developments??????????

47-1

**From:** Christine Stanton  
**To:** [Taylor Bateman](#)  
**Cc:** [Brenda Stevens](#); [Michelle Edwards](#)  
**Subject:** Concerned SV resident  
**Date:** Wednesday, March 28, 2018 2:30:41 AM

---

Mr. Bateman,

My family and I have been Scotts Valley residents for 10 years. We find ourselves extremely fortunate to be able to raise our children in such a special community. We live in Sky Park and have twin eight year olds. I have loved being able to walk with my children to the park, library, and Kings Village Center since the children were only a few weeks old. We now also enjoy the skate park and pump track. One of the best qualities about SV is how safe the community is, from the responsiveness of the police and fire departments, the low flow of traffic, the tremendous sense of community and community responsibility to the minimal through traffic and safe play spaces for our children. We are also currently extremely thankful for our amazing schools and teachers (currently my children are in 2nd grade at Vine Hill).

I have been increasingly more concerned with the direction SV planning has been moving as more and more housing has been developed without any additional compensatory resources to our schools, library, or city service departments. The current discussions of rezoning the Aviza site into high density housing is extremely concerning for many reasons. As more families move in the increased burden on our school will be tremendous. My children already have four second grade classes! With the school district currently looking at not being able to fund all of the current teacher salaries, most students would be impossible. It would be unjust to our children and teachers to put such an unreasonable burden on our schools. Parents are already funding so much of what our teachers passionately believe is essential to our children's education, but for which there is no funding. I am also very concerned for the ability of our police and fire departments to be able to continue to provide the security and safety we have enjoyed with the potential increase in their demand and service.

In addition, so many children walk, scooter and ride the sidewalk adjacent to the park, skate park and library. With the development of the Aviza property into high density housing (with only one entrance and exit) the safety of our children will be at higher risk with the increase in traffic flow.

As the direction of the community lies in the hands of our city planners, please take into consideration the concerns of the devoted SV residents. Thank you for your time.

Respectfully,  
Christine Stanton

PS my children love "their town" so much they have picked up trash after school to keep their community clean!

48-1

**From:** Paige Pentecost  
**To:** [Taylor Bateman](#)  
**Subject:** Development: too many, too much. Vote no  
**Date:** Monday, April 16, 2018 6:45:31 PM

---

49-1

Sent from my iPad

**From:** MARILYN GLIDDON  
**To:** [Taylor Bateman](#)  
**Subject:** Draft EIR for Aviza Site  
**Date:** Monday, April 16, 2018 3:41:11 PM

---

Mr. Taylor Bateman, Community Development Director

City of Scotts Valley Planning Department

One Civic Center Drive

Scotts Valley, CA 95066

Dear Mr. Bateman,

I am a homeowner in the community of Monteville in Scotts Valley. I live on Pine Court, the residential street that is located closest to the Aviza site which is under consideration for housing development. I have concerns about the proposed development, including the visual, noise, and air quality impacts that would effect my community and especially my street.

Where I live on Pine Ct., there are 8 homes on the west side of the street located on a hillside just above the Aviza site property. The homes have varying views of the site, with the south end where my home is located having the most direct view of the existing buildings and parking lots situated on the property below. There is a strip of undeveloped land between our homes and the site that is open space, but it has a sparse number of trees and bushes, resulting in only a partial blockage of the view of the buildings and site. After reviewing the Draft EIR for the Aviza site, I found that I could not agree with a statement in the report under 5.4 Environmental Setting, 5.4.3 Project Viewshed, which says that "Existing housing and other structures, trees, and topography obstruct views of the project site from Pine Court and Oak Circle to the east....." The view of the site from the homes and backyards of Pine Ct. must not have been investigated. The views should have been reported as high in viewer concern, viewer exposure, and visual sensitivity. The residents of Pine Ct. will have only partially obstructed views of the demolition, grading, and construction of the site for as many months and years the proposed development takes to complete. I would be willing to allow someone from the city to take a look at the view I have of the site from my decks and backyard, if visual proof is needed.

50-1

My strongest concern about the proposed project is the high level of noise my street and my community will experience presumably for years. The EIR report does acknowledge that Pine Ct. will be substantially impacted by noise from the proposed project. Under 13 Noise and Vibration, 13.3 Environmental Setting, 13.3.5 Sensitive Receptors, the report says "The nearest sensitive receptors to the areas of the project site proposed for future residential development would be residences located approximately 100 feet east of the project site on Pine Court and Oak Circle." The report also states under 13.4.3 Impacts of the Proposed Project Construction and under Impact N-1 that "sensitive receptors" would be substantially disturbed. I would like the city and the developer to know that for the past 5-6 years, residents on Pine Ct. have lived in relative quiet due to a low level of noise from

50-2



the current businesses occupying the Aviza site. The significantly higher level of noise we would experience from months of the demolition of the site and the unknown number of years of housing construction, will be in very sharp contrast to what we have been experiencing. Even with the required mitigations there will be a tremendous amount of noise generated from the development, and I don't believe that the impact will be reduced to "less-than-significant" for the residents here.

Overall the EIR report concludes that with the implementation of mitigation measures, all project impacts could be reduced to less-than-significant levels with the exception of transportation and traffic, which would remain significant. I do not think that the impact on the residents of Monteville will be "less-than-significant" even with required mitigation measures. Instead I think the development of the Aviza site will cause significant impacts on the residents of Monteville, especially on Pine Court.

Sincerely,

Marilyn Gliddon

Scotts Valley, CA 95066

**From:** Carol Helms  
**To:** [Taylor Bateman](#)  
**Subject:** Endanger Species  
**Date:** Monday, April 16, 2018 12:34:51 PM

---

Taylor Bateman:

With all of the new and proposed development in Scotts Valley, how does this project impact the USFW Endanger and Threatened Species?

51-1

Thank you -

Carol Helms

**From:** Peter Sterbach  
**To:** [Taylor Bateman](#)  
**Subject:** FW: Oppose zoning changes on Aviza site  
**Date:** Monday, April 16, 2018 6:17:31 PM

---

To Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

52-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
Impact Significance: Significant and Unavoidable  
Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes "insignificant" or "less than significant with mitigation" impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,  
Peter Sterback

**From:** Brownfield, Rod  
**To:** [Taylor Bateman](#)  
**Subject:** Home Site Proposal for Aviza Property - Scotts Valley  
**Date:** Monday, April 16, 2018 5:17:19 PM

---

Hi Justin,

A quick weigh-in on the proposal to build homes on the Aviza site behind Skypark, thank you for listening.

As I understand it, Aviza could contribute 240 new homes.

A big downside of doing this is that the only access to that area would be down Bean Creek Road and/or Kings Village road.

- Bean Creek has 2-lane single access which is already congested with traffic when the Middle School is busy in the mornings and afternoons; I see some serious danger to kids, one of them my own, who currently walks home from school along that route. Bean Creek in the northbound direction would need to be majorly overhauled to accommodate more traffic as well.
- Kings Village down to the Aviza gate is virtually a dead-end currently and not bad traffic-wise, but could see a serious increase in congestion with the addition of 240 homes.

If the Scotts Valley Town Center project goes through, another 300 homes would egregiously compound the problem. As a Skypark resident of 17 years, I've already seen a huge increase in traffic and congestion up until now, and it would become much worse with so many homes packed into such a small area, not to mention the impact on the community in general.

So – a big “no” vote from me, my family, and most of my neighbors.

Thanks again for listening.

Rod Brownfield

---

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain information that is confidential and/or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, please DO NOT disclose the contents to another person, store or copy the information in any medium, or use any of the information contained in or attached to this transmission for any purpose. If you have received this transmission in error, please immediately notify the sender by reply email or at [privacy@plantronics.com](mailto:privacy@plantronics.com), and destroy the original transmission and its attachments without reading or saving in any manner.

For further information about Plantronics - the Company, its products, brands, partners, please visit our website [www.plantronics.com](http://www.plantronics.com).

**From:** Dan Schaefer  
**To:** [Taylor Bateman](#)  
**Subject:** I strongly oppose the proposed zoning change / Too much traffic and congestion!  
**Date:** Friday, April 13, 2018 11:10:40 PM

---

Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR: ----- Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts Impact Significance: Significant and Unavoidable Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008). 18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified. 18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified. ----- Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,  
Dan Schaefer  
Bethany Dr.  
Scotts Valley

Sent from my iPhone

**From:** Janelle Mace  
**To:** [Taylor Bateman](#)  
**Subject:** New housing at Aviza property  
**Date:** Monday, April 16, 2018 7:12:51 PM

---

Dear Mr. Bateman,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. I feel that the current state of our city calls for less new high density housing and more focus on rebuilding current infrastructure. Our water rates are already sky high and the traffic in this town seems to be increasing dramatically.

55-1

Per the EIR:

-----  
 Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
 Impact Significance: Significant and Unavoidable  
 Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
 Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,  
 Janelle Mace  
 Homeowner, Investor and Resident of Scotts Valley

**From:** Loren Goodman  
**To:** [Taylor Bateman](#)  
**Subject:** Oppose Avila site  
**Date:** Monday, April 16, 2018 4:53:29 PM

---

Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

56-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts  
Impact Significance: Significant and Unavoidable  
Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,

Loren Goodman

--

Loren Goodman  
Vanguard Realtors  
Office Manager, Realtor, Transaction Coordinator  
Office: 831-462-3110  
[loren4re@gmail.com](mailto:loren4re@gmail.com)

**From:** Mary Karlton  
**To:** [Taylor Bateman](#)  
**Subject:** Oppose zoning changes on Aviza site  
**Date:** Monday, April 16, 2018 5:58:41 PM

---

To Taylor,

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR:

57-1

-----  
Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts

Impact Significance: Significant and Unavoidable

Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008).

18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified.

18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified.

-----  
Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes "insignificant" or "less than significant with mitigation" impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Regards,

Mary Karlton



**From:** Don Foley  
**To:** [Taylor Bateman](#)  
**Subject:** Opposition to the Aviza  
**Date:** Monday, April 16, 2018 1:29:41 PM

---

I strongly oppose the proposed zoning change on the former Aviza site from I-L to Residential Medium-High Density. It is the responsibility of city leaders to reject irresponsible growth which will crush our infrastructure and potentially impact the safety of our Middle School students. Per the EIR: ----- Impact TR-3: Contribute to cumulatively considerable transportation and circulation impacts Impact Significance: Significant and Unavoidable Mitigation: No mitigation feasible, consistent with findings as described in the Scotts Valley Town Center Specific Plan EIR (2008). 18.3.1 Significant Direct Effects of the Project As indicated in Chapter 16: Transportation and Circulation, project implementation would increase congestion and travel delays on regional and local roadways or exceed an established LOS standard (Impact TR-3). There is no feasible mitigation measure identified. 18.3.2 Significant Cumulative Effects As indicated in Chapter 16: Transportation and Circulation, the proposed project, combined with past, present, and reasonably foreseeable future projects, would result in significant impacts to transportation and circulation, and the proposed project would considerably contribute to the cumulative impact (Impact TR-3). There is no feasible mitigation measure identified. ----- Absent an updated EIR which, in parallel with the Town Center project EIR, clearly describes “insignificant” or “less than significant with mitigation” impact to transportation and circulation, it is the responsibility of you and the other city leaders to reject any proposed zoning change.

Sent from my iPad

**From:** Natalia Ericson  
**To:** [Taylor Bateman](#)  
**Subject:** PLEASE Reject more housing  
**Date:** Saturday, April 14, 2018 1:28:41 PM

---

Dear Mr. Bateman,

As a resident of Scotts Valley for 30+ years and a parent of 3 children in SV school system, it breaks my heart to see the level of development swamping our town. Tax payers are increasingly burdened to support the growing need for infrastructure to support our EXISTING population which is already unmanageable. How is it even feasible to consider more and more building? Our schools are overcrowded and underfunded. Our traffic becoming a nightmare. Every precious area of greenery and park destroyed or swarmed upon by the needs of the expanding community. There are so many other things we could do with our beautiful open spaces to support our current community. From the golf course proposal to the Aviza proposal, I strongly urge you to reject these obtrusive projects and come up with ideas that will allow this community to continue to thrive and actually function. How about the Sports Complex, have you seen the Kirigin Cellars Winery and Soccer field!? More parks, outdoor restaurants, community pool, new schools, family/pet friendly environments.

People pay too much to live here for this lifestyle and it is disheartening to see our investments diminished by short sighted intentions and profit. I can't imagine all you must have to consider. I have an MBA and worked in business for many years before deciding to stay home with kids, so I realize you must weigh many things in order to determine the best course for our towns future which I believe you must care about. I just hope you realize this is not a course that I've heard any other families here support. We like our small, green, active, and close knit community of responsible and self-supporting home owners. Please consider this before allowing changes and development that will forever change what we've all come to love.

With much respect and appreciation,

Natalia Ericson  


Sent from my iPhone

**From:** Dennise  
**To:** [Taylor Bateman](#)  
**Subject:** Rezoning Aviza Property  
**Date:** Sunday, April 15, 2018 3:15:41 PM

---

I am against the rezoning of the Aviza property into a potential residential property. Mt. Hermon alone can not handle any more traffic and the Scotts Valley schools could not support the potential increase of more students. I have been a 25 year resident of Scotts Valley and a home owner and would hate to see our great town turned into traffic nightmare.

60-1

Dennise Stribling

Sent from my iPhone

**From:** Betty Dodd  
**To:** [Taylor Bateman](#)  
**Subject:** Rezoning Aviza  
**Date:** Friday, April 13, 2018 6:52:08 PM

---

I am a resident of Monteville, adjacent to the Aviza property. Rezoning Aviza to a high density property would adversely impact our community. This push to dramatically expand housing here in Scotts Valley is irresponsible and would adversely affect the traffic flow on already very small streets. This is being pushed through without enough research and consideration of residents already living here. Please put on the brakes for many reasons. It's too much too soon.

Betty Dodd

Monteville resident.

61-1

**From:** John Pusey  
**To:** [Taylor Bateman](#)  
**Cc:** [Robb Ryerse, Brand New Congress](#)  
**Subject:** Scotts Valley Aviza environmental report  
**Date:** Saturday, April 14, 2018 8:48:31 AM

---

Greetings:

I am very concerned about the increasing traffic burden and environmental losses the proposed development would entail. Scotts Valley is rapidly overdeveloping, and this is going to have serious impacts on all nearby communities, permanently changing the character and quality of life in the Santa Cruz Mountains and most likely increasing traffic on Hwy 17, with risks of adding to the recent spike in accident, injury and death on this corridor.

Thus, I strongly oppose the developer's proposal and request for zoning change.

However, I might support the EIR recommendation for 52 units, as long as the final design called for maximum preservation of open space, protection of endangered species, extreme mitigation of traffic impacts, and only if 80% of the housing would be affordable rental units that prioritized current Santa Cruz residents.

Otherwise, this development is completely unacceptable.

John Pusey

"After the laws of physics, everything else is opinion."—Neil deGrasse Tyson

62-1

## 2.2 Master Responses

### 2.2.1 Transportation Impacts – General

Several general comments were made stating that Scotts Valley is already congested and that the current roadway infrastructure cannot accommodate the impacts of adding vehicles on the road network associated with additional housing development.

The Draft EIR identified six intersections that would constitute most of the proposed project-generated traffic would traverse, and where potential traffic impacts would be most likely to occur. Study intersection selection criteria were based on City of Scotts Valley and Caltrans traffic impact study guidelines, which indicates that study intersections be selected based on the expected project-generated trips, assumed trip distribution, and engineering judgement.

Given that regional access to the proposed project site is provided from Highway 17 via Mt. Hermon Road ramps, the highway segments north and south of these terminals were considered for analysis.

As shown in **Figure 16-1: Study Intersections & Trip Distribution** of the Draft EIR, the following intersections and highway segments were analyzed as part of the traffic analysis:

1. Bean Creek Road / Bluebonnet Lane (Unsignalized)
2. Kings Village Road / Bluebonnet Lane (Unsignalized)
3. Kings Village Road / Mt. Hermon Road (Signalized)
4. Scotts Valley Drive / Bean Creek Road (Signalized)
5. Scotts Valley Drive – Whispering Pines Drive / Mt. Hermon Road (Signalized)
6. Mt. Hermon Road / La Madrona Drive / Hwy 17 Southbound Ramps (Signalized)

Traffic conditions were measured by average daily traffic (ADT), peak hour traffic volumes, level of service (LOS), average delay, and volume to capacity (V/C) ratio. Average daily traffic is the total number of cars passing over a segment of the roadway, in both directions, on an average day. Peak hour volumes are the total number of cars passing over a roadway segment during the peak hour in the morning (AM) or afternoon/evening (PM).

The traffic analysis identified potential AM and/or PM peak hour impacts to the following intersections for the Existing +Project and Cumulative + Project conditions:

- Scotts Valley Drive / Mt. Hermon Road (Intersection #5)
- Mt. Hermon Road/ La Madrona Drive / Hwy 17 SB Ramps (Intersection #6)

#### Scotts Valley Drive / Mt. Hermon Road (Intersection #5)

However, the propose project will not directly cause a change in traffic conditions. The Scotts Valley Drive / Mt. Hermon Road intersection is already operating at an unacceptable level of

service. However, planned construction of the Scotts Valley Drive / Mt. Hermon Road Improvement Project, which was completed in June 2018, have improved this intersection to an acceptable level. Furthermore, additionally, any future residential development will be required to pay their fair-share contribution for roadway improvements along the Mt. Hermon Road corridor, which is required prior to issuance of the first building permit. Additionally, the project will be required to pay a city-wide development impact fee, a portion of which is allocated to roadway improvements.

#### **Mt. Hermon Road/ La Madrona Drive / Hwy 17 SB Ramps (Intersection #6)**

The addition of project traffic to the intersection to Mt. Hermon Road / La Madrona Road / Hwy 17 Ramps would cause control delay to increase from 34.8 seconds to 35.8 seconds (a 1.0 second increase) during the AM peak hour and from 81.6 to 84.9 seconds (a 3.3 second increase) in the PM. The LOS would degrade from LOS C to LOS D during AM peak hour and remain at LOS F during PM peak hour. Given that the City endeavors to maintain a target LOS at signalized intersections at the transition between C and D, the Cumulative Plus Project impact would be significant.

The *Scotts Valley Town Center Specific Plan EIR* identified a second westbound right-turn lane on the SR 17 off-ramp as mitigation for deficient operations at Mt. Hermon Road / La Madrona Road / Hwy 17 Ramps (Mitigation Measure T-1). However, as noted in the Draft EIR, even with this improvement, the intersection would continue to operate at LOS D, which is not sufficient to meet the City's LOS C standard.

Because no further feasible mitigation could be identified to avoid the future cumulative delays, as determined in the *Scotts Valley Town Center Specific Plan EIR*, the impact would remain significant and unavoidable.

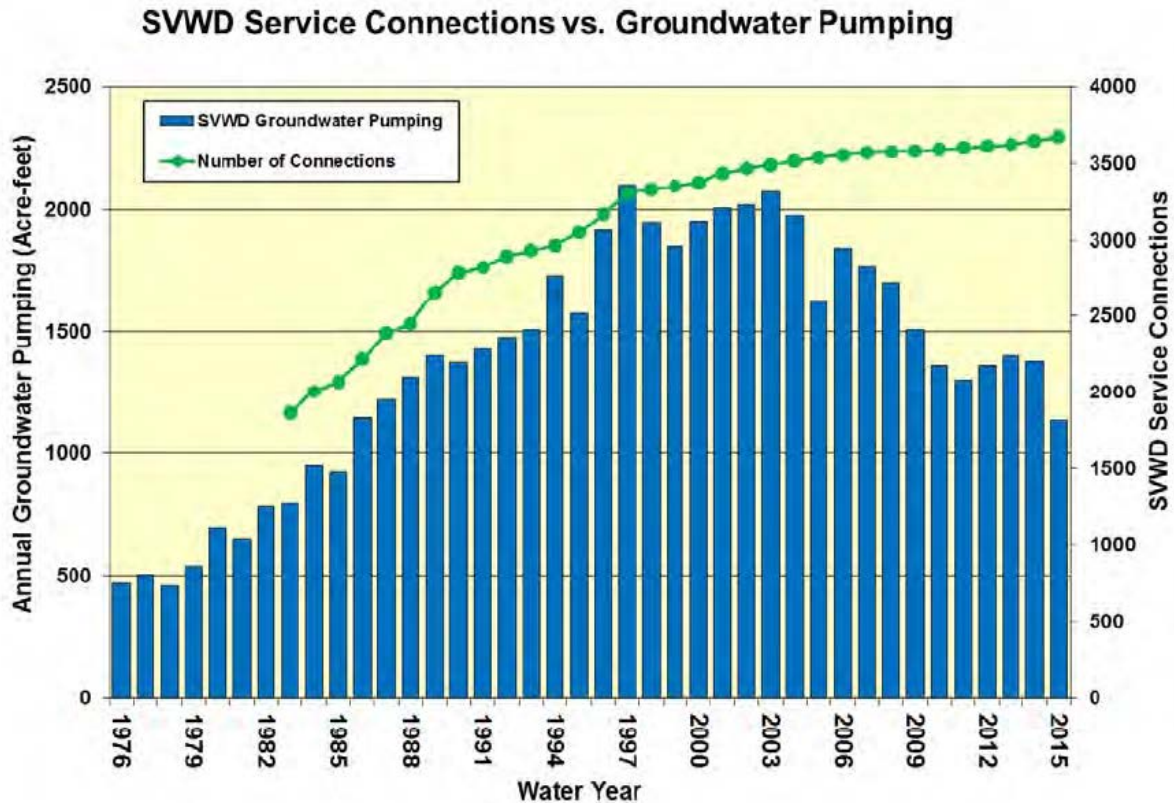
#### **2.2.2 Sufficient Water Supply**

Several comments were received stating that there is insufficient water supply for the project. This is an incorrect assumption.

As stated in Impact PSU-3, future development of the project site as proposed would use approximately 28 acre-feet/year (afy) of water. According to the SVWD 2015 Urban Water Management Plan (UWMP), in 2015 water demand from metered deliveries was 1,333 afy. 2020 water demand was predicted to be 1,558 afy, and 2035 water demand was predicted to be 1,635 afy (Kennedy/Jenks, 2016). As stated in the Draft EIR, the annual yield for the portion of the SMGB beneath Scotts Valley is 2,600 afy, although the yield is shared among SVWD, SLVWD, and other water districts. Regardless, the projected SVWD 2035 demand, plus demand of the proposed project, would not exceed the entitlements of the SVWD.

The demand of approximately 28 afy of water generated by the project would not exceed the capacity of the groundwater production system, and no new wells or treatment plants would be required. Therefore, impacts would be less than significant.

Furthermore, over the last 30 years, ground water production steadily rose to a peak of just over 2,000 afy in 2003. Since then, average production has been reduced by more than 30 % due to conservation efforts, and off-sets using recycled water. The chart below illustrates this reduction in groundwater pumping despite an increase in number of connections.



Further information regarding groundwater conditions and water supply can be found on the Scotts Valley Water District web site at [www.svwd.org](http://www.svwd.org).



## 2.3 Subsequent Information Regarding Hazards and Hazardous Waste

Subsequent to the release of the Draft EIR, additional progress has been made and further clarification provided regarding efforts required to reduce site-related VOCs to an insignificant level, suitable for residential development.

Further clarification regarding the process necessary to amend the Record of Decision to change the Remedy to unrestricted (also known as Unlimited Use and Unrestricted Exposure [UUNE]), and thus suitable for residential development, is also described.

It should be noted that the discussion below is informational only and does not constitute a change in the significance of impacts nor require a change in mitigation. Rather, it clarifies the current status of the project site and identifies the necessary statutory requirements necessary for future construction of residential dwelling units as contemplated by the proposed project.

### 2.3.1 Project Site Preparation Suitable for Residential Development

The Residential Development Area, as shown on **Figure 3-6: Conceptual Development Envelope** contains unconsolidated fill soil under an existing “cap” of asphalt pavement and buildings. Additionally, while recent environmental testing data indicated low levels of contaminate soil beneath of majority of the Residential Development Area, there are some remaining well-defined isolated plumes of trapped volatile organic compounds (VOCs) vapors at various locations and depths. Remediation of the shallow soil vapors down to the sandstone layer can effectively be accomplished by digging out the soil, aerating it in accordance with Monterey Bay Area Resource District (MBARD) regulations/permit and, following confirmation testing to be assured residential-compliant thresholds have been met, returning the exposed soils and compacting the soils suitable for residential development. Project site preparation to address both the VOCs and uncompacted fill would be completed in two phases.

Phase 1 would dig-out approximately 66,000 cubic yards of vapor-impacted soils to a depth of up to 20 feet. All on-site wells would be closed, and the existing industrial buildings would be demolished. The soils would then be aerated to “flash off” the contaminated volatiles at a controlled rate consistent with guidelines established by the MBARD.

Phase 2 would dig out the remaining approximately 154,000 cubic yards of uncompacted and non-contaminated soil. The soil from both Phase 1 and 2 would then be placed back and recompacted per geotechnical standards suitable for residential development.

### 2.3.2 Amended Record of Decision

In 1990, the U.S. Environmental Protection Agency (EPA) issued a Record of Decision (ROD) that established the remedy for clean-up of the project site to a level suitable for non-residential use. Before residential development can occur within the Residential Development Area, the ROD will need to be amended in accordance with EPA guidelines to allow for unrestricted use (also known as Unlimited Use and Unrestricted Exposure or UUNE). The amendment process will require EPA approval of the following:

**Focused Feasibility Study (FFS)** – describes various remediation alternatives proposed to make the property suitable for residential use. The FFS must be prepared in accordance with the program management principles and requirements of the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) listed in Title 40 of the Code of Federal Regulations (CFR) Part 300.430(a) (40 CFR 300.430(a)). Following review by the EPA, the FFS is released for public review.

At present, the preferred alternative is the Soil Removal, Aeration and Recompacting Alternative which would consist of two phases of earthwork, as described above.

**Sampling and Analysis Plan / Quality Project Plan (SAP/QAPP)** – describes the procedural and analytical requirements for the collection of water, soil, sediment, or other samples taken to characterize areas of contamination. The SAP/QAPP would occur as part of Phase 1 described above.

**Remedial Action Completion Report (RACR)** – describes the process for delisting the project site from the (Superfund) National Priorities List (NPL). Sites qualify for construction completion when:

- Any necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved; or
- EPA has determined that the response action should be limited to measures that do not involve construction; or
- The site qualifies for deletion from the NPL.

## 2.4 Response to Comments

### 2.4.1 Response to Comment Letter #1: State of California, Governor's Office of Planning and Research / Scott Morgan

1-1: Comment noted regarding compliance with State Clearinghouse review requirements.

### 2.4.2 Response to Comment Letter #2: Monterey Bay Air Resources District

2-1: Comment noted. The Final EIR has been modified accordingly.

2-2: Comment noted. The Final EIR has been modified accordingly.

2-3: Comment noted. The Final EIR has been modified accordingly.

2-4: Comment noted. The Final EIR has been modified accordingly.

### 2.4.3 Response to Comment Letter #3: Affordable Housing NOW! / Tim Willoughby

3-1: The commenter suggests that the lower density use of the site would result in greater long-term environmental impacts due to future growth pressures and that instead the project site should be developed at higher density, particularly given the fact that it is an infill site, located next to a transit center and commercial area.

The Draft EIR analysis a range of alternatives, including a High-Density Residential Development Alternative that would result in 240 residential units, consistent with the highest residential zoning designation in the City.

The comparison of alternatives is based on the significance criteria and the extent by which each respective alternative would have a physical change on the environment. Based on a trip generation analysis for the High-Density Residential Development Alternative, for the Cumulative + Project condition, it is possible that this alternative would result in an added delay of up to five seconds during the AM and PM peak hour condition at the Scotts Valley Drive / Mt. Hermon Road (Intersection #5). Depending on the ultimate build-out of the Town Center, the timing of future improvements, and other planned and unplanned projects, the alternative could potentially change the level of service at this intersection from an acceptable LOS D to an unacceptable LOS E.

Regarding the reference to the cost of housing, unfortunately under CEQA, economic affordability is not an established CEQA significance criteria as it does not directly constitute a physical change on the environment. The City does, however, recognize that housing affordability is a critical issue that needs to be addressed, but outside the prevue of this EIR.

Vehicle miles traveled (VMT) is currently not a significance criteria under CEQA. In response to Senate Bill 743 (SB 743), the Office of Planning and Research (OPR) has updated California Environmental Quality Act (CEQA) guidelines to include new transportation-related evaluation metrics. Draft guidelines were developed in August 2014, with updated draft guidelines

prepared in January 2016, which incorporated public comments from the August 2014 guidelines. OPR released final proposed Guidelines on November 27, 2017. The final proposed Guidelines include a new Section 15064.3 on vehicle miles of travel (VMT) analysis and thresholds. OPR also released a Technical Advisory on Evaluating Transportation Impacts in CEQA. New Guidelines Section 15064.3 states that they do not take effect until January 1, 2020 unless the lead agency adopts them earlier. Neither the City of Scotts Valley nor the Santa Cruz County Regional Transportation Commission has established any standards or thresholds on VMT. Therefore, the new guidelines have not yet been adopted and are not in effect at this time.

Pursuant to the CEQA Guidelines, Alternative A: Reduced Development Alternative was found to be the Environmentally Superior Alternative. This alternative would reduce construction-related impacts to air quality and noise. In addition, it would generate fewer peak-hour vehicular trips, and result in better intersection levels of service, than the proposed project. However, Alternative A would not reduce the level of impact to such a degree that would alter the significance of any impact.

Finally, the purpose of analyzing a range of feasible alternatives is to foster meaningful public participation and informed decision making. This EIR serves as an informational document that will be certified (not approved) by the Scotts Valley City Council. As an elected body, they may, should they choose to select the High-Density Residential Development Alternative as their preferred project.

#### **2.4.4 Response to Comment Letter #4: Local Agency Formation Commission of Santa Cruz County / Pat McCormick**

4-1: Comment noted.

#### **2.4.5 Response to Comment Letter #5: Michael Shulman**

5-1: The proposed project that was analyzed in the Draft EIR was for a change in the General Plan and Zoning designations. The project applicant specifically avoided the inclusion of any development site plans.

Providing emergency evacuation of the Lockhart Gulch area through the project site is certainly a reasonable recommendation that should be considered with any future site-specific development plans. Any such details will be reviewed for consistency with General Plan safety policies, any applicable Local Hazard Mitigation Plan and the Scotts Valley Fire Department as the time a project-level application is submitted.

5-2: See response to comment 3-1 from Affordable Housing NOW!, above, regarding potential project density and relationship to environmental effects. Comments supportive of higher density as a component of the city's housing stock are also noted.

5-3: Additional comments related to the city's application process, decision making, socioeconomic impacts and rezoning procedures are noted.

#### 2.4.6 Response to Comment Letter #6: Diane Dearing

6-1: Regarding construction noise, the Draft EIR impact N-1 concludes that any future development would cause a temporary increase in ambient noise levels during construction that would substantially disturb sensitive receptors (e.g. Monteville residents). Mitigation measure **N-1: Construction Noise Reduction** identifies a number of construction noise reduction requirements as part of any future development proposal. These include properly maintained construction equipment, no vehicle and equipment idling, location of stationary equipment as far away from sensitive receptors as possible, preparation of a construction plan to reduce noise, and identification of a noise-disturbance coordinator.

Furthermore, the Scotts Valley Municipal Code, Section 17.46.160 requires that all construction activity shall be limited to the hours between eight a.m. and six p.m., Monday through Friday, and nine a.m. through five p.m. on Saturday. No construction activity is allowed on Sunday.

Regarding dirt traveling up and over adjacent land uses, construction associated with any future development would be required to adhere to construction requirements to reduce dust consistent with the Scotts Valley Municipal Code requirements, and those of the Monterey Bay Air Resources District, as described in mitigation measure **AQ-1.1 Reduce Fugitive Dust**.

Regarding pedestrian access on the emergency vehicle access road, your comment is noted.

Regarding water supply, see Master Response 2.2.2 Sufficient Water Supply, above.

Regarding stop signs, any future development would analyze whether stop signs are warranted consistent with City roadway standards.

6-2: Comment regarding the need for senior housing is noted.

#### 2.4.7 Response to Comment Letter #7: Louise Westphal Good

7-1: As noted in the project description, the existing secondary access road between the project site and Bean Creek Road would be maintained for emergency vehicle access as part of the development requirements for any future development project. See also response to comment 5-1.

7-2: Any future development would utilize potable water provided by the Scotts Valley Water District drawing groundwater from existing wells. No wells on site would be used for potable water. Regarding water supply, Master Response 2.2.2 Sufficient Water Supply, above.

7-3: Any future development would certification that the soils are free of contamination consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as administered by the Environmental Protection Agency (EPA) as well as all state and local regulations.

**2.4.8 Response to Comment Letter #8: Vickie Birdsall**

8-1: Comments recommending development of a senior care facility and affordable employee housing on the project site are noted for the record and appreciated.

**2.4.9 Response to Comment Letter #9: Ann Mekis**

9-1: Regarding water supply, see Master Response 2.2.2 Sufficient Water Supply, above.

**2.4.10 Response to Comment Letter #10: Kevin Barnett**

10-1: Comment regarding opposition to the project is noted.

**2.4.11 Response to Comment Letter #11: Mary Lou DeFalco**

11-1: Comment regarding opposition to the project is noted. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above. Regarding impacts to schools, the Draft EIR concluded the following.

Enrollment in SVUSD has been decreasing since the 2004–2005 school year, and is projected to continue decreasing (SVUSD, 2014). Therefore, SVUSD schools would not operate above capacity as a result of residential development on the project site. Moreover, as stated above, payment of statutory fees for new development is deemed adequate to address impacts to public schools. Therefore, the establishment of residential development would not require construction of new or expanded educational facilities. Impacts to schools would be Class III, less than significant. (Aviza Draft EIR, page 15-13)

**2.4.12 Response to Comment Letter #12: b c**

12-1: Comments in opposition to the project are noted for the record. With respect to total number of dwelling units, the project was analyzed at 84 units (see Section 3.0, Project Description). Alternative C analyzes a scenario of up to 240 units. Regarding water supply, see Master Response 2.2.2 Sufficient Water Supply, above. Regarding site contamination, please see Draft EIR page 3-2, Site History, that explains that site remediation has been ongoing since 1987.

**2.4.13 Response to Comment Letter #13: Thira**

13-1: Comments/concerns related to project traffic are noted for the record. See Master Response 2.2.1 Traffic Impacts – General, above.

**2.4.14 Response to Comment Letter #14: Michele and Jeff Jones**

14-1: Comments regarding project traffic are noted for the record. See also Master Response 2.2.1 Traffic Impacts – General, above. Regarding impacts to schools, please see response to comment 2.4.11, above.

**2.4.15 Response to Comment Letter #15: Shelley Noh**

15-1: Comments in opposition to the project are noted for the record. Regarding impacts to schools, please see response to comment 2.4.11, above.

**2.4.16 Response to Comment Letter #16: Sue Ann Murray**

16-1: Comments regarding the rezoning proposal and suggested density are noted for the record. See also Master Response 2.2.1 Traffic Impacts – General, above. Regarding impacts to schools, please see response to comment 2.4.11, above.

**2.4.17 Response to Comment Letter #17: Kevin Waggoner**

17-1: The project description identifies a walking path from the project to Skypark and Kings Village to accommodate mobility of new residents. The northern portion of the project site is proposed for habitat conservation and there are currently no plans for disruption or improvements in this habitat area. Any existing requirements for road maintenance would remain with the title of the property.

**2.4.18 Response to Comment Letter #18: Tara Dalton Bensen**

18-1: Comments in support of Alternative A are noted for the record.

**2.4.19 Response to Comment Letter #19: John Ertel**

19-1: Concerns regarding the project as proposed are noted for the record. Please see Master Responses 2.2.1 and 2.2.2 regarding traffic and water supply, respectively.

**2.4.20 Response to Comment Letter #20: Scott and Lisa Petersen**

20-1: Regarding the request for a Traffic Impact Analysis (TIA), in-house traffic engineers from the EIR consultant (Kimley-Horn) contributed input regarding the traffic section of the EIR, including the assessment of project impacts. As such, the EIR section contains the same information typically contained within a TIA.

20-2: The commenter asked “...why the EIR stated that the Highway Capacity Manual (HCM) for 2010 had limitations so that it could not be used to determine intersection delays at La Madrona/HWY 17 SB Ramps/Mt. Herman Rd and the HCM 2000 needed to be used for that determination.” This was due to consistency reasons based on the previous traffic analysis prepared for the Town Center EIR.

20-3: Regarding existing occupancy and tenants, the current owners provided lease data for 2015 and 2017, which established that the facilities are approximately 50% leased.

20-4: The cumulative plus project traffic analysis was based on the City’s cumulative project list as provided at <https://www.scottsvally.org/DocumentCenter/View/715/Cumulative-Trip-Generation-List-PDF>

20-5: Regarding water demand, please see Master Response 2.2.2 Sufficient Water Supply, above. As stated on page 15-4 of the Draft EIR, demand projections assume that from 2020 to 2040, usage by existing customers is predicted to rebound, and thus average out the reduced demand during the dry years of 2010-2015. The 10-year average and other water use assumptions reflect the methodology used by the Scotts Valley Water District in the 2015 Urban Water Management Plan.

20-6: Comments in support of the lower-density alternative, for traffic reasons, is noted for the record. Regarding traffic impacts, please see Master Response 2.2.2 Sufficient Water Supply, above.

#### **2.4.21 Response to Comment Letter #21: Marina Earl**

21-1: Comments and concerns regarding project density are noted for the record.

#### **2.4.22 Response to Comment Letter #22: Jim and Marie Blain**

22-1: Comments in support of Alternative A are noted for the record.

#### **2.4.23 Response to Comment Letter #23: Traci Pisciotta**

23-1: Comments objecting to the project and its stress on resources and public services are noted.

#### **2.4.24 Response to Comment Letter #24: John and Valerie Steward**

24-1: Comments objecting to the project on the grounds of density, infrastructure and traffic are noted for the record. Regarding traffic and water supply issues, please see Master Responses 2.2.1 and 2.2.2, respectively. Cumulative project assumptions and impacts include the Town Center project.

#### **2.4.25 Response to Comment Letter #25: Kendall Sullivan**

25-1: Comments in support of Alternative A are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above.

#### **2.4.26 Response to Comment Letter #26: Sharyl Maraviov**

26-1: Comments objecting to the project and proposed rezoning are noted for the record.

#### **2.4.27 Response to Comment Letter #27: Marife Magno**

27-1: Comments and concerns regarding the project and related traffic are noted. Please see Master Response 2.2.2-1 regarding traffic issues. Parking requirements are a function of the municipal code and are not an environmental issue under CEQA.



**2.4.28 Response to Comment Letter #28: Carol Weisenstein**

28-1: Regarding traffic and water supply issues, please see Master Responses 2.2.1 and 2.2.2, respectively.

**2.4.29 Response to Comment Letter #29: Paula Boeckx**

29-1: General comments opposing the project are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above. Regarding impacts to schools, please see response to comment 2.4.11, above.

**2.4.30 Response to Comment Letter #30: Chris Bensen**

30-1: Comments regarding water pricing and quality are noted.

30-2: Regarding traffic, please see Master Response 2.2.1 above.

30-2: Comments regarding sidewalks and pedestrian safety are noted for the record.

**2.4.31 Response to Comment Letter #31: Barry Prentiss**

31-1: Comments in favor of lower density development are noted. Regarding fire access, please see response 5-1. Regarding water supply, please see Master Response 2.2.2.

**2.4.32 Response to Comment Letter #32: Tavin Lanpheir**

32-1: Comments in general opposition to the proposal are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above. Regarding impacts to schools, please see response to comment 2.4.11, above.

**2.4.33 Response to Comment Letter #33: Al and Mary Telles**

33-1: Comments in general opposition to the proposal are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above. Regarding water supply, please see Master Response 2.2.2.

**2.4.34 Response to Comment Letter #34: Tom Mason**

34-1: Comments in general opposition to the proposal are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above.

**2.4.35 Response to Comment Letter #35: Paul Reidt**

35-1: Comments suggesting a senior living use for the Aviza property are noted for the record.

**2.4.36 Response to Comment Letter #36: Laura Rockow**

36-1: Comments opposed to the project are noted. Regarding traffic and water supply issues, please see Master Responses 2.2.1 and 2.2.2, respectively.

**2.4.37 Response to Comment Letter #37: Will Mezzell**

37-1: Comments regarding proposed density and safety are noted.

**2.4.38 Response to Comment Letter #38: Janet Tuma**

38-1: Comments in opposition to the proposal are noted. Regarding traffic and water supply issues, please see Master Responses 2.2.1 and 2.2.2, respectively. Wastewater system capacity is addressed on page 15-14 of the Draft EIR.

**2.4.39 Response to Comment Letter #39: Maggie and Tom Carli**

39-1: General comments opposing the project's density and water issues are noted for the record.

**2.4.40 Response to Comment Letter #40: Bruce Hull**

40-1: General commentary regarding development in the City is noted for the record.

**2.4.41 Response to Comment Letter #41: Shelley Smith**

41-1: General comments in opposition to the project are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above.

**2.4.42 Response to Comment Letter #42: Mark Davis**

42-1: Comment supporting Alternative C is noted for the record.

**2.4.43 Response to Comment Letter #43: Michelle Caron**

43-1: General comments in opposition to the project are noted for the record.

**2.4.44 Response to Comment Letter #44: Dave Weaver**

44-1: General comments in opposition to the project are noted for the record. Regarding comments on traffic, see Master Response 2.2.1 Traffic Impacts – General, above.

**2.4.45 Response to Comment Letter #45: Frank Gramkowski**

45-1: Please see Master Response 2.2.1 Traffic Impacts – General.

45-2: Regarding school enrollment and capacity, please see page 15-13 that identifies the potential increase of 37 additional students, and the fact that SVUSD is experiencing decreasing enrollment.

**2.4.46 Response to Comment Letter #46: Jarob Todd**

46-1: General comments in opposition to the proposal are noted.

**2.4.47 Response to Comment Letter #47: Angela Franklin**

47-1: Comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.48 Response to Comment Letter #48: Christine Stanton**

48-1: Comments opposed to hire density residential are noted for the record. Regarding impacts to schools, please see response to comment 2.4.11, above. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.49 Response to Comment Letter #49: Paige Pentecost**

49-1: Comment opposed to the proposal is noted for the record.

**2.4.50 Response to Comment Letter #50: Marilyn Gliddon**

50-1: Regarding aesthetics and project visibility, the key distinction in the analysis of the Draft EIR is public versus private views. Consistent with CEQA law and practice, the environmental review focuses on the visibility of the site from public viewing areas, in this case the Skypark tennis courts. The EIR provides general information regarding visibility from Pine Court but did not examine views from individual back yards, as these private views are typically not the subject of specific protections unless specified by the City's zoning code. The resulting change in visual character of the developed portions of the site will change from industrial to residential. The temporary visual effects of construction will be most noticeable from neighboring homes and are disclosed in the EIR; however, these temporary effects from private viewpoints do not trigger CEQA significance thresholds or warrant mitigation.

50-2: Comments regarding construction noise and the EIR's documentation of noise impacts is noted for the record. As stated in the comments, the Draft EIR does disclose the potential for construction impacts and identifies generally accepted methods of mitigation to reduce impacts at nearby receptors.

**2.4.51 Response to Comment Letter #51: Carol Helms**

51-1: Biological resources, including potential impacts to rare, threatened or endangered species are addressed in Chapter 7 of the Draft EIR. The Draft EIR identifies potential impacts and mitigation for the Mount Hermon June beetle and Zayante band-winged grasshopper, both of which are federally listed endangered species.

**2.4.52 Response to Comment Letter #52: Pater Sterbach**

52-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.53 Response to Comment Letter #53: Rod Brownfield**

53-1: The Draft EIR (page 16-21) identifies that as part of the project, on- and off-site roadways may need to be improved to meet City roadway standards. The Draft EIR acknowledges that final engineering design will include a detailed sight distance evaluation to ensure that all facilities meet city standards to accommodate project traffic, and do not result in acute safety hazards.

**2.4.54 Response to Comment Letter #54: Dan Schaefer**

54-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.55 Response to Comment Letter #55: Janelle Mace**

55-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.56 Response to Comment Letter #56: Loren Godman**

56-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.57 Response to Comment Letter #57: Mary Karlton**

57-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.58 Response to Comment Letter #58: Don Foley**

58-1: General comments in opposition to the project are noted for the record. Please see Master Response 2.2.1 regarding traffic impacts.

**2.4.59 Response to Comment Letter #59: Natalia Ericson**

59-1: General comments regarding changes in the community and quality of life are noted for the record.

**2.4.60 Response to Comment Letter #60: Dennise Stribling**

60-1: General comments in opposition to the project due to traffic concerns are noted for the record.

**2.4.61 Response to Comment Letter #61: Betty Dodd**

61-1: General comments in opposition to the project due to traffic concerns are noted for the record.

#### **2.4.62 Response to Comment Letter #62: John Pusey**

62-1: Comments regarding the quantity and pace of development in the city are noted for the record. Potential support for a reduced density alternative is also noted.

### 3 Changes to the Draft EIR

Changes to the Draft EIR are shown on the following pages in the order that they appear in the EIR. New text is shown in underline, and removed text is shown in ~~striketrough~~. These text changes do not constitute substantial new information and do not result in significant new impacts or the increase in severity of impacts already disclosed.

## 6 Air Quality

### 6.1 Introduction

This section describes effects on air quality from residential development pursuant to the proposed project. Information used to prepare this section came from the following resources:

- Project application and related materials
- California Emissions Estimator Model (CalEEMod) projections (see [Appendix B](#))
- California Air Resource Board (CARB)
- State Office of Environmental Health Hazard Assessment (OEHHA)
- California Environmental Quality Act (CEQA) Air Quality Guidelines
- Monterey Bay ~~Unified~~ Air Resources District (MBARD), CEQA Air Quality Guidelines

### 6.2 Scoping Issues Addressed

During the scoping period for the proposed project, no written comments by agencies and the public regarding air quality were received.

### 6.3 Environmental Setting

This section presents information on air quality conditions in the project site vicinity. The Regional Setting provides information on the baseline conditions in the region. The Project Setting defines the project study area and describes baseline conditions for air quality within.

#### 6.3.1 Climate and Topography

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County, comprising an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) (~~formerly the Monterey Unified Air Pollution Control District~~) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

Climate, or the average weather condition, affects air quality in several ways. Wind patterns can remove or add air pollutants emitted by stationary or mobile sources. Inversion, a condition where warm air traps cooler air underneath it, can hold pollutants near the ground by limiting upward mixing (dilution). Topography also affects the local climate, as valleys often trap emissions by limiting lateral dispersal.

Winds originating in the San Francisco Bay Area Air Basin often transport pollutants into the NCCAB, where surface winds move the pollutants to the eastern part of the NCCAB. For instance, the transport of ozone precursor emissions from San Francisco Bay Area Air Basin

formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter (DPM). Mobile sources of TACs include freeways and other roads with high traffic volumes, while stationary sources include distribution centers, rail yards, ports, refineries, dry cleaners, and large gas dispensing facilities. The project site is not located near any major sources of TACs. For cancer health effects, the risk is expressed as the number of chances in a population of a million people who might be expected to get cancer over a 70-year lifetime.

## 6.4 Regulatory Setting

This analysis has been prepared pursuant to California Environmental Quality Act of 1970 and associated Guidelines (Public Resources Code 21000 *et seq.* and California Code of Regulations, Title 14, Chapter 3 sections 15000 – 15387) and in accordance with local, State and federal laws, including those administered by MBARD, CARB, and U.S. EPA. The principal air quality regulatory mechanisms include the following:

- Federal Clean Air Act (FCAA), in particular, the 1990 amendments;
- California Clean Air Act (CCAA);
- California Health and Safety Code (H&SC), in particular, Chapter 3.5 (Toxic Air Contaminants) (H&SC Section 39650 *et. seq.*) and Part 6 (Air Toxics “Hot Spots” Information and Assessment) (H&SC Section 44300 *et. seq.*).
- MBARD’s Rules and Regulations and air quality planning documents:
  - Rule 400 (Visible Emissions), Rule 402 (Nuisance), Rule 425 (Use of Cutback Asphalt)
  - 2012 ~~Triennial Plan Revision~~ Air Quality Management Plan - Adopted April 2013 to update the 2008 Air Quality Management Plan
  - 2008 Air Quality Management Plan - Adopted August 2008 for achieving the 2006 California ozone standard
  - 2007 Federal Maintenance Plan - Adopted May 2007 for maintaining the 1997 federal ozone standard
  - 2005 Particulate Matter Plan - Adopted December 2005 for particulate matter made in response to Senate Bill 656.
  - 2008 MBARD California Environmental Quality Act Air Quality Guidelines most recently revised February 2008.

### 6.4.1 Federal and State

As discussed below, the federal and State governments have been empowered by the federal and State Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. U.S. EPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in California. Local control in air quality management is provided by CARB through county-level or regional



(multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 154 air basins statewide.

### Federal Clean Air Act

U.S. EPA is charged with implementing national air quality programs. The agency's air quality mandates are drawn primarily from the federal Clean Air Act (CAA). The CAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 CAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the U.S. The CAA allows states to adopt more stringent standards or to include other pollutants.

### National Ambient Air Quality Standards

The federal CAA requires U.S. EPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: ozone (O<sub>3</sub>), CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead (Pb).

### Title III of the Federal CAA

As discussed above, hazardous air pollutants (HAPs) are the air contaminants identified by U.S. EPA as known or suspected to cause cancer, other serious illnesses, birth defects, or death. The federal CAA requires U.S. EPA to set standards for these pollutants and reduce emissions of controlled chemicals. Specifically, Title III of the CAA requires U.S. EPA to promulgate National Emissions Standards for Hazardous Air Pollutants (NESHAP) for certain categories of sources that emit one or more pollutants that are identified as HAPs. The federal CAA also requires U.S. EPA to set standards to control emissions of HAPs through mobile source control programs. These include programs that reformulated gasoline, national low emissions vehicle standards, Tier 2 motor vehicle emission standards, gasoline sulfur control requirements, and heavy-duty engine standards.

HAPs tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. Many HAPs originate from human activities, such as fuel combustion and solvent use. Emission standards may differ between "major sources" and "area sources" of the HAPs/TACs. Under the federal CAA, major sources are defined as stationary sources with the potential to emit more than 10 tons per year (tpy) of any one HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. Mobile source air toxics (MSATs) are a subset of the 188 HAPs. Of the 21 HAPs identified by U.S. EPA as MSATs, a

### CAPCOA Health Risk Assessments for Proposed Land Use Projects

The California Air Pollution Control Officer's Association (CAPCOA) is a consortium of air district managers throughout California that provide guidance material to address air quality issues in the State. As a follow up to CARB's 2005 *Air Quality and Land Use Handbook*, CAPCOA prepared the *Health Risk Assessments for Proposed Land Use Projects*. This guidance document was released to ensure that the health risk of projects be identified, assessed, and avoid or mitigated, if feasible, through the CEQA process. The CAPCOA guidance document provides recommended methodologies for evaluating health risk impacts for development projects.

#### 6.4.2 Regional

MBARD regulates air quality in NCCAB, and is responsible for attainment planning related to criteria air pollutants, as well as for district rule development and enforcement. The district also reviews air quality analyses prepared for CEQA assessments, and published the *CEQA Air Quality Guidelines* document (last revised February 2008) for use in evaluation of air quality impacts. The purpose of these guidelines is to assist in the review and evaluation of air quality impacts from projects that are subject to CEQA. These guidelines are an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing potential air quality impacts and preparing the air quality section of environmental documents. These guidelines are also intended to help these entities anticipate areas of concern from MBARD in its role as a CEQA lead, commenting and/or responsible agency for air quality.

#### Air Quality Management Plan

In accordance with CCAA, MBARD has developed the *2008 Air Quality Management Plan for the Monterey Bay Region* (2008 AQMP). The 2008 AQMP is a transitional plan shifting focus of MBARD's efforts from achieving the 1-hour component of the State ozone AAQS to achieving the 8-hour ozone requirement. The plan includes an updated air quality trends analysis, which reflects both the 1- and 8-hour standards, as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources.

~~In April 2013, MBARD adopted the 2012 Triennial Plan Revision (2012 AQMP Revision). The 2012-2015 Air Quality Management Plan (AQMP), which assesses and updates elements of the 2008 AQMP, including the~~describes air quality trends analysis, emission inventory, and mobile source programs. The ~~2012-latest~~ AQMP ~~Revision~~ only addresses attainment of the State ozone standard. In 2012, EPA designated the NCCAB as in attainment of the current national 8-hour ozone standard of 0.07~~05~~ ppm.

The following MBARD rules would limit emissions of air pollutants from construction and operation of residential development pursuant to the proposed project:

- *Rule 400 (Visible Emissions)* – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than 3 minutes in any 1 hour, as observed using an appropriate test method, is prohibited.

Regarding ozone, construction projects using typical equipment that temporarily emits ozone precursors are accommodated in the emission inventories of State and federally required air quality management plans and would not have a significant impact on ozone concentrations (MBARD, 2008).

If construction-related activities exceed the PM<sub>10</sub> threshold of 82 pounds, the project would be characterized as contributing substantially to existing violations of CAAQS for PM<sub>10</sub>.

In addition to the tabulated thresholds, a project may also have significant adverse impacts on air quality if the project individually or cumulatively results in any of the following:

- Exceedance of a State or federal ambient air quality standard for any criteria pollutant (as determined by modeling).
- Exposure of sensitive receptors to substantial pollutant concentrations of toxic air contaminants.
- Exposure of a substantial number of people to objectionable odors.
- Inconsistency with applicable MBARD air quality management plans, policies, or regulations.

The criteria for assessing cumulative impacts on localized air quality (i.e., CO, PM<sub>10</sub>) are identical to those for individual project operation. The criteria for determining a project's cumulative impact on regional ozone levels depends on consistency with the applicable air quality management plan. Consistency with the MBARD Air Quality Management Plan (AQMP) does not mean that a project would not have a significant project-specific adverse air quality impact. However, inconsistency with the MBARD AQMP is considered a significant cumulative adverse air quality impact.

MBARD guidelines state that odor impacts would be significant if the proposed project would result in the emission of substantial concentrations of pollutants that produce objectionable odors, causing injury, nuisance, or annoyance to a considerable number of persons, or endangering the comfort, health, or safety of the public. If construction or operation of the proposed project would emit pollutants associated with odors in substantial amounts, the analysis should assess the impact on existing or reasonably foreseeable sensitive receptors.

A project would conflict with or obstruct implementation of the ~~2008 MBARD AQMP and 2012 Triennial Plan Revision (2012 AQMP Revision)~~ latest version of the MBARD's Air Quality Management Plan (AQMP) if it is inconsistent with the plan's growth assumptions, in terms of population, employment, or regional growth in VMT. These population forecasts were developed, in part, using data obtained from local jurisdictions regarding projected land uses and population projections identified in community plans. Projects that result in an increase in population that is inconsistent with local community plans would be considered inconsistent with MBARD's AQMP.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines CARB's climate change priorities for the next 5 years and sets the groundwork to reach post-2020 goals set forth in EO S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB, 2014). The Scoping Plan includes a comprehensive list of recommended actions for each of the major sectors of the State-wide emissions inventory, including energy actions, transportation actions, agriculture actions, water actions, waste management actions, natural and working lands actions, short-lived climate pollutants actions, green building actions, cap-and-trade actions, and evaluations actions.

The AB 32 Scoping Plan also identifies a cap-and-trade program as one of the strategies California will employ to reduce the GHG emissions. Under the cap-and-trade program, an overall limit on GHG emissions from capped sectors was established and facilities subject to the cap are now able to trade permits (allowances) to emit GHGs. The program began on January 1, 2012, with an enforceable compliance obligation beginning with the 2013 GHG emissions.

#### Executive Order S-14-08

In 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33 percent of their load from renewable energy sources by 2020. The existing RPS requires retail sellers to supply 20 percent of their total electrical load from renewable energy sources by 2010. To meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and (2) the California Energy Commission (CEC) and the California Department of Fish and Game (DFG) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects.

#### Senate Bill (SB) 375

Senate Bill (SB) 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPOs) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. ~~The Monterey Bay Unified Air Pollution Control District (MBARD)~~ was assigned targets of a 0 percent reduction in

### 9.4.3 Regional & Local

#### Monterey Bay ~~Unified Air Pollution Control District~~ Air Resources District

MBARD is the regional air agency for the North Central Coast Air Basin, which includes the project site. In February 2008, MBARD issued revised adopted guidance for assessing and reducing the impacts of project-specific air quality emissions: CEQA Air Quality Guidelines. This document included a reserved section to address project-specific GHG emissions: Climate Change and Assessment of Project Impacts from Greenhouse Gases. To date, MBARD has not adopted guidance for GHG emissions inventory, or established significance thresholds for GHG emissions.

#### City of Scotts Valley General Plan

The City of Scotts Valley has not adopted a Climate Action Plan as of October 2015, and the City does not have specific guidelines regarding greenhouse gas emissions. However, project relevant general plan policies for air quality protection related to greenhouse gas emissions are addressed in **Table 12-1: General Plan Consistency Analysis**. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

## 9.5 Environmental Impacts and Mitigation Measures

### 9.5.1 Significance Thresholds

According to the adopted Appendix G of the *State CEQA Guidelines*, impacts related to GHG emissions from a proposed project would be significant if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Determining significance follows available guidelines from State or local air quality management agencies, where available. However, there is no legally adopted threshold to guide City of Scotts Valley decision-makers in determining what emission levels constitute a significant amount. Rules and policies being developed by CARB are used here, although they are evolving in response to the serious threat of climate change effects and subsequent legislation.

MBARD does not yet recommend any method or threshold for determining significance of climate change impacts or greenhouse gas emissions from a project and its operation. Nonetheless, GHG emissions caused by any project subject to CEQA must be described for a lead agency to determine the significance of impacts. The 2010 State CEQA Guidelines (Section 15064.4) provide the following direction for the assessment and mitigation of GHG emissions:

National Oceanic & Atmospheric Administration (NOAA). September 2010. Annual Greenhouse Gas Index. Available at: <http://www.esrl.noaa.gov/gmd/aggi/aggi.html>

Parmesan C., Gbraith, H. 2004. Observed Ecological Impacts of Climate Change in North America. Available at: <http://www.c2es.org/publications/observed-impacts-climate-change-united-states>

San Luis Obispo County Air Pollution Control District (SLOAPCD). April 2012. CEQA Handbook, Section 3.5.1, Significance Thresholds for Project-Level Operational Emissions. Available at: [http://www.slocleanair.org/images/cms/upload/files/CEQA\\_Handbook\\_2012\\_v2%20%28Updated%20July%202014%29%281%29.pdf](http://www.slocleanair.org/images/cms/upload/files/CEQA_Handbook_2012_v2%20%28Updated%20July%202014%29%281%29.pdf)

~~Unified Air Pollution Control District, Monterey Bay. April 2013. Triennial Plan Revision 2009-2011. Available at: [http://mbuapcd.org/pdf/Final\\_Triennial\\_Plan\\_Revision041913.pdf](http://mbuapcd.org/pdf/Final_Triennial_Plan_Revision041913.pdf)~~

United States Environmental Protection Agency (U.S. EPA). December 2007. Climate Change Technology Program (CTP). Available at: <http://www.climatechange.gov/>.

\_\_\_\_\_. April 2012. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2010. Available at: <http://www.epa.gov/climatechange/emissions/usinventoryreport.html>

World Meteorological Organization. March 2013. A Summary of Current and Climate Change Findings and Figures. Available at: [http://www.wmo.int/pages/mediacentre/factsheet/documents/Climate-Change-Info-Sheet-136\\_fr.pdf](http://www.wmo.int/pages/mediacentre/factsheet/documents/Climate-Change-Info-Sheet-136_fr.pdf)

The likelihood that significant adverse effects would result from the discovery of previously unidentified USTs is minimal because there are multiple existing requirements in place to address such effects, as required by RWQCB, DTSC and Cal/OSHA.

Although these restrictions and enforcement mechanisms will be established independent of this EIR, the mitigation measures identified in this EIR, including mitigation measure MM HAZ-1, would provide redundant protection by requiring that all project development activities and uses conducted after the completion of development be in compliance with these environmental restrictions.

To reduce impacts related to exposure to unknown contaminants at the project site, the following mitigation measure shall be implemented.

#### Mitigation for Impact HAZ-2

##### MM HAZ-2 Unknown Contaminant Contingency Plan

Prior to obtaining a grading, excavation, site, building or other permit from the City for ~~Prior to obtaining the first site, building or other permit for~~ development activities involving subsurface disturbance, the project applicant shall prepare, to the satisfaction of the Community Development Department, a contaminant contingency plan, or similar acceptable to plan, as accepted by the respective responsible agency(s), to address unknown contaminants encountered during development activities.

This plan, the conditions of which shall be incorporated into the first permit and any applicable permit thereafter, shall establish and describe procedures for implementing a contingency plan, including appropriate notification and site control procedures, in the event unanticipated subsurface hazards or hazardous material releases are discovered during construction. Control procedures would include, but would not be limited to, further investigation and, if necessary remediation of such hazards or releases, including off-site removal and disposal, containment or treatment. If unanticipated subsurface hazards or hazardous material releases are discovered during construction, the requirements of this unknown contaminant contingency plan shall be followed. The contaminant contingency plan shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan.

#### Impact HAZ-3: Exposure to hazardous substances in building structures which could cause a significant health hazard (Class III).

Demolition of existing buildings could expose construction workers to hazardous substances in building structures (e.g., asbestos, lead, polychlorinated biphenyls [PCBs], and mold). Exposure to these substances could cause a significant health hazard. However, the implementation of standard procedures to remove and/or contain these materials would reduce potential exposure of construction workers to these substances. Standard conditions of approval, such as those described below, would be required by the City for any project-specific development application for the project site involving demolition of existing buildings.



Furthermore, this alternative could help the City meet its General Plan Housing Element goals by providing more housing. As part of future project entitlements, there would be the opportunity to identify community benefits, such as the opportunity to construct affordable housing. Additionally, at this density, the housing type would meet the demands for a segment of the market that is currently in strong demand, particularly for lower-income households. Given the proximity to the transit center, existing commercial, Skypark, and the future town center, the location represents an opportunity to providing housing within walking distance of services, and thereby reduce vehicle trips.

### Comparative Analysis of Environmental Impacts

Construction and most operational impacts from this alternative would be similar to the proposed project. With the exception of cumulative transportation, no new or substantially greater impact would occur as a result of this alternative. While the overall site density would be greater, buildings would likely not be taller than existing structures and the project site is located in a basin, largely surrounded by trees and hillsides. Air quality impacts would be slightly higher associated with mobile emissions from vehicles, however, they would not be significant. Because the development would be limited to the Residential Development Area, as shown in **Figure 3-6: Conceptual Development Envelope**, impacts to biological resources, geology, hazards, and hydrology would be the same as proposed. The project would use more water and generate more waste, but would be well within the service provider's ability to serve the site.

Regarding transportation and circulation, this alternative would generate more daily and peak hour traffic trips. As shown in **Figure 17-2: High-Density Residential Development Alternative Trip Generation**, this alternative would generate 390 daily trips, 482 more than the proposed project. AM peak hour trips would be 21, 35 more than the proposed project. PM peak hour trips would be 72, 33 more than the proposed project.

**Figure 17-2: High-Density Residential Development Alternative Trip Generation**

Land Use	Size	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	In	Out	Total	Rate	In	Out	Total
Condominium/Townhouse (ITE 230) <sup>1</sup>	240 DU	5.74	1,378	0.43	18	86	104	0.51	83	40	123
Existing Use Reduction (ITE 110) <sup>2</sup>	145,860 sf.	6.77	988	0.57	73	10	83	0.35	6	45	51
<b>Net New Alternative Trips</b>			390		-55	76	21		77	-5	72

Notes:

1. Residential Condominium/Townhouse - ITE Code 230; Based on ITE equation.
2. General Light Industrial - ITE Code 110; Based on ITE equation.

Source: Kimley-Horn & Associates, 2018



## 4 Mitigation Monitoring and Reporting Program

### 4.1 Public Resources Code

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project, may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The MMRP includes the mitigation measures identified in the EIR required to address only the significant impacts associated with the project being approved. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures is presented in the DEIR.

The MMRP is organized in a table format (see [Table 4-1: Mitigation Monitoring and Reporting Program for the Aviza Site General Plan Amendment and Zone Change](#), keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program, based upon whether the measure applies to the hotel development, residential development, or both developments. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures:** This column presents the mitigation measure identified in the EIR.
- **Monitoring/Reporting Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring and Reporting Requirement:** This column refers the outcome from implementing the mitigation measure.
- **City Staff/Notes:** This column will be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

### 4.2 Enforcement

If the project is approved, the MMRP for each development would be incorporated as a condition of such approval. Therefore, all mitigation measures for significant impacts must be carried out to fulfill the requirements of approval. A number of the mitigation measures would

be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction, or project implementation phase.

Table 4-1: Mitigation Monitoring and Reporting Program for the Aviza Site General Plan Amendment and Zone Change

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
<b>AESTHETICS</b>	<b><i>Mitigation Measures Identified in the Project EIR</i></b>			
Impact AES-2: Introduce new light and glare to the project site and project area.	<p><b>MM AES-2.1 Exterior Lighting Control Plan</b></p> <p>To minimize the adverse impact associated with light and glare, the project applicant for any future Planned Development project shall submit an exterior lighting control plan for review as part of any future development application.</p> <p>The applicant shall design and install all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as is feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances.</p> <p>The exterior lighting control plan shall include the following:</p> <ul style="list-style-type: none"> <li>▪ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the edge of the development envelope as shown in Figure 3-6: Conceptual Development Envelope. Lighting along footpaths outside of the development</li> </ul>	Community Development Department (CDD)	Review and approval of exterior lighting control plan prior to issuance of a building permit for vertical construction.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>envelope shall be designed to minimize light intensity and spread, while maintaining adequate safety.</p> <ul style="list-style-type: none"><li>▪ Identification of the location and direction of light fixtures that take the lighting control requirements into account.</li><li>▪ Lighting design that considers setbacks of project features from the project site boundary to aid in satisfying the lighting control requirements.</li><li>▪ Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated.</li><li>▪ Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security.</li><li>▪ All lighting shall be of minimum necessary brightness consistent with operational safety and security.</li><li>▪ Lights in high illumination areas not occupied on a continuous basis shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied.</li></ul>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
<b>AIR QUALITY</b>	<b>Mitigation Measures Identified in the Project EIR</b>			
Impact AQ-1: Future construction activities would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.	<p><b>MM AQ-1.1 Reduce Fugitive Dust</b></p> <p>The applicant for future residential development shall implement the following measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions, and the applicant shall require all of the following measures to be shown on grading and building plans:</p> <ul style="list-style-type: none"> <li>▪ Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.</li> <li>▪ Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure.</li> <li>▪ Prohibit all grading activities during periods of high wind (more than 15 mph).</li> <li>▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).</li> <li>▪ All disturbed soil areas not subject to revegetation shall be stabilized using</li> </ul>	<p>CDD</p> <p>Contractor</p>	<p>Review and approve construction specifications prior to issuance of building permit.</p> <p>Include in construction specifications and implement during construction.</p> <p>Review during site inspections.</p>	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>approved chemical soil binders, jute netting, or gravel for temporary roads and any other methods approved in advance by MBARD.</p> <ul style="list-style-type: none"> <li>▪ Exposed ground areas that are planned to be reworked for durations longer than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.</li> <li>▪ Plant vegetative ground cover in disturbed areas as soon as possible.</li> <li>▪ Use street sweepers, water trucks, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the project site. Reclaimed (non-potable) water should be used whenever possible;</li> <li>▪ Spray dirt stock pile areas daily as needed.</li> <li>▪ Place gravel on all roadways and driveways as soon as possible after grading. In addition, construct building pads as soon as possible after grading unless seeding, soil binders, or frequent water application are used.</li> <li>▪ Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.</li> <li>▪ All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall</li> </ul>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.</p> <ul style="list-style-type: none"> <li>Unpaved road travel shall be limited to the extent possible, for example, by limiting the travel to and from unpaved areas, by coordinating movement between work areas rather than to central staging areas, and by busing workers where feasible.</li> <li>Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the project site, and inspect vehicle tires to ensure they are free of soil prior to carry-out to paved roadways.</li> <li>Sweep streets at the end of each day, or as needed, if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.</li> </ul>			
	<p><b>MM AQ-1.2 Designate a Dust Compliant Monitor</b></p> <p>Prior to any ground disturbance requiring a grading permit, the applicant for residential development shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust</p>	CDD	Review and approve construction specifications prior to issuance of building permit; monitor complaint status with MBARD.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties shall include monitoring during holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the MBARD Compliance Division prior to the start of any grading, earthwork, or demolition. The applicant shall provide and post a publicly visible sign that specifies the telephone number and name to call regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of MBARD shall also be visible to ensure compliance with Rule 402 (Nuisance).	Monterey Bay Air Resources District (MBARD)  Construction dust monitor	Record and investigate (as necessary) complaints.  Post signs; respond to complaints.	
<b>BIOLOGICAL RESOURCES</b>	<b><i>Mitigation Measures Identified in the Project EIR</i></b>			
Impact BIO-1: Cause a direct or indirect adverse effect on special-status invertebrate species.	<p><b>MM BIO-1      Incidental Take Permit for Mt. Hermon June Beetle and Zayante Band-winged Grasshopper</b></p> <p>Prior to any ground disturbance in undisturbed areas as shown in <b>Figure 3-7: Habitat Preservation Areas</b>, the applicant shall submit documentation, to the satisfaction of the City of Scotts Valley Community Development Department demonstrating issuance of an Incidental Take Permit by the U. S. Fish and Wildlife Service (USFWS) for the Mt. Hermon June beetle and the Zayante band-winged grasshopper.</p>	CDD  USFWS  Qualified biologist	Review documentation from relevant Responsible Agency(s) demonstrating mitigation compliance.	



Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>The issuance of an Incidental Take Permit may necessitate the applicant's preparation and implementation of a Habitat Conservation Plan (HCP), or equivalent document to the satisfaction of the USFWS, to offset impacts to federally listed threatened species, as allowed under Section 10(a)(1)(b) of the Federal Endangered Species Act. The plan may describe measures to avoid and minimize impacts to individuals during and after construction, as well as compensatory mitigation sufficient to offset the permanent loss of this known occupied beetle habitat, as well as an endowment to fund the maintenance and monitoring of the species' habitat in perpetuity. The USFWS-approved plan may include measures to avoid, minimize and mitigate impacts to these species, including the examples below:</p> <ul style="list-style-type: none"><li>▪ Minimize to the greatest extent practical, disturbance of sandy soils and removal of native vegetation.</li><li>▪ Schedule demolition and grading to occur outside the flight season for the beetle and grasshopper, as well as only during daytime hours.</li><li>▪ The applicant shall hire a Service-approved biologist to monitor any soil grading or disturbance, and to capture and relocate any beetle larvae. The applicant will submit the names and qualifications of the biologist to</li></ul>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>the USFWS for approval at least one month prior to any project activities begin; the USFWS shall approve the biologist in writing via email or letter.</p> <ul style="list-style-type: none"> <li>▪ The Service-approved biologist shall also review the project lighting plan to ensure it minimizes attracting June beetles, and any changes recommended by the biologist shall be submitted and approved by the City prior to approval of the building permit.</li> <li>▪ The applicant shall submit a plan to the USFWS to preserve suitable habitat for the species adjacent to the development (the proposed Habitat Preservation Area), where they are known to occur, at a ratio of no less than 1:1. The Plan shall include an endowment fund paid by the applicant to a nonprofit land preservation entity approved by the USFWS to manage and monitor the preserved habitat areas in perpetuity.</li> <li>▪ Implement a long-term vegetation management plan for the Sand Parkland habitat to remove invasive plants and trim native vegetation as needed to maintain the open structure of the habitat.</li> <li>▪ Prepare and implement an adaptive management strategy to provide methods to reduce take of the species if conditions change</li> </ul>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	and result in reduced habitat value to the species, (e.g., invasion by new non-native exotic species, greater than anticipated human impacts, etc.).			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
Impact BIO-2: Cause a direct or indirect adverse effect on special-status and rare animal species.	<p><b>MM BIO-2 Focused Surveys and Relocation Plan for Santa Cruz Kangaroo Rat and San Francisco Dusky-Footed Woodrat</b></p> <p><u>Conduct Focused Surveys</u></p> <p>Prior to any ground disturbance in undisturbed areas as shown in <b>Figure 3-7: Habitat Preservation Areas</b>, the project applicant shall submit documentation to the satisfaction of the Community Development Department of the results of focused surveys by a qualified biologist for presence/absence surveys for the Santa Cruz kangaroo rat and San Francisco dusky-footed woodrat in areas outside of the existing disturbed areas, as shown in <b>Figure 3-5: Habitat Preservation Area</b>.</p> <p>The qualified biologist shall submit and get approval for the trapping of both species of rats to the CDFW prior to beginning the effort. The focused survey/trapping effort shall be conducted during the spring/summer season when the species are most active, to determine if any are present or absent. The trapping / survey for the rat species shall be conducted no more than one year prior to scheduled project commencement, and ground disturbance, to determine presence/absence of the species prior to onset of the project and allow time for a mitigation plan to be reviewed by CDFW and implemented.</p>	<p>CDD</p> <p>CDFW</p> <p>Qualified biologist</p>	Review documentation from relevant Responsible Agency(s) demonstrating mitigation compliance.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>If the results of focused surveys for are negative, no further mitigation is required. If surveys do find Santa Cruz kangaroo rat or San Francisco dusky-footed woodrat present, the applicant shall prepare a plan to avoid and minimize impacts of the project on these two species, as described below.</p> <p><u>Prepare an Avoidance and Minimization Plan for Santa Cruz Kangaroo Rat and/or San Francisco Dusky-Footed Woodrat</u></p> <p>The qualified biologist shall prepare a plan to relocate Santa Cruz kangaroo rats and San Francisco dusky-footed woodrats to the closest suitable habitat outside the project impact area prior to any ground disturbance requiring issuance of a grading or building permit by the City of Scotts Valley. The project applicant shall submit documentation to the satisfaction of the Community Development Department demonstrating approval by California Department of Fish and Wildlife (CDFW) of the relocation plan for Santa Cruz kangaroo rats and San Francisco dusky-footed woodrats.</p> <p>The plan would likely include placing relocated kangaroo rats in suitable sandy soil habitat with natural or man-made burrows, as determined by the qualified biologist, and potentially constructing nest houses for the woodrat a week or two prior to capture and relocating individuals. The individuals of</p>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	both species that are relocated should be also further studied (e.g., three nights of trapping) to determine if they stay at the artificially constructed burrows/nest houses. The biologist will file a report with CDFW of the trapping, relocation, and post-relocation survey results.			
Impact BIO-3: Cause a direct or indirect adverse effect on nesting bird sites.	<p><b>MM BIO-3      Avoid Nesting Birds</b></p> <p>The grading or demolition plan (whichever is first) shall include a note on the plans that demolition and habitat removal be scheduled to occur between September 1st and March 1st of any given year. If this is not practical, the applicant shall submit documentation to the satisfaction of the Community Development Department, that a qualified biologist has been hired to conduct pre-activity surveys for nesting birds. Nesting bird surveys shall be conducted no more than 14 days prior to onset of any ground disturbance or vegetation removal at the project site. If active bird nests are observed by the biologist within the areas to be disturbed, the biologist shall determine an appropriate buffer around the nest where demolition or grading activity shall be postponed until the biologist determines all young have fledged the nest. If it is not practical to set a buffer zone, then work in the vicinity of the active bird nest (e.g., 50 ft. for passerines, up to 200 ft. for raptors), shall be postponed until the biologist determines that all young have fledged the nest and</p>	<p>CDD</p> <p>Qualified biologist</p>	<p>Construction specifications prior to issuance of grading permits.</p> <p>Preconstruction surveys.</p>	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	that construction will not result in death or injury to nestlings. Nesting bird survey reports shall be submitted to the City of Scotts Valley.			
Impact BIO-4: Cause a direct or indirect adverse effect on rare and special-status plant species.	<p><b>MM BIO-4 Plant Resource Conservation Plan</b></p> <p>Prior to any ground disturbance in undisturbed areas as shown in <b>Figure 3-7: Habitat Preservation Areas</b> requiring issuance of a grading permit by the City of Scotts Valley associated with a future Planned Development application for the project site, the applicant shall submit documentation to the satisfaction of the Community Development Department demonstrating issuance of a Section 2081 Incidental Take Permit from California Department of Fish and Wildlife (CDFW) and/or acceptance of a Plant Resource Conservation Plan (PRCP) (or equivalent) by the U. S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) to offset impacts to special-status plant species. The USFWS and CDFW-approved PRCP will likely include at least the following measures to avoid, minimize and mitigate impacts to these species:</p> <ul style="list-style-type: none"> <li>Minimize to the greatest extent practical, disturbance of sandhill vegetation that supports native vegetation.</li> <li>Hire a qualified botanist to conduct a spring-season plant survey to update the previous</li> </ul>	<p>CDD</p> <p>USFWS</p> <p>CDFW</p> <p>Qualified biologist</p>	Review documentation from relevant Responsible Agency(s) demonstrating mitigation compliance.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>2007 rare plant survey to identify the location of special-status species previously recorded on the site as well as additional species deemed to have potential presence on the site (as listed in Table 7-2: Special-Status Plant Species Evaluated for Potential Presence).</p> <ul style="list-style-type: none"> <li>For unavoidable impacts to special-status species, implement salvage and/or seed collection from special-status species prior to construction.</li> <li>Preserve suitable habitat for the species adjacent to the development, where they are known to occur, at a ratio of no less than 1:1. Establish an endowment fund to manage and monitor the preserved habitat areas in perpetuity.</li> </ul>			
Impact BIO-6: Cause a direct or indirect adverse effect on native trees.	<p><b>MM BIO-6 Arborist Report</b></p> <p>Prior to issuance of a grading permit by the City of Scotts Valley associated with a future development application for the project site, the applicant shall have a qualified arborist prepare an arborist report on the trees on the property and an evaluation of trees to be removed. The applicant shall implement all measures contained within the arborist report for the avoidance and mitigation for tree removal. Measures may include implementing a tree protection plan, maintenance of trees to remain, and</p>	<p>CDD</p> <p>Qualified biologist</p>	Construction specifications prior to issuance of grading permits.	



Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>implementing a tree replacement program that is subject to review and approval by the City of Scotts Valley.</p> <p>The applicant shall include wildfire /fuel modification zones on all site plans. The fuel modification zones, and fuel modification activities within each zone, shall be pre-approved by City of Scotts Valley Fire District. If wildfire/fuel modification areas extend into the designated open space areas, the fuel modification activities (i.e., vegetation removal, trimming of trees or shrubs) shall be incorporated into the Plant Resource Conservation Plan (see MM-BIO-1 and MM BIO-4). Fuel modification activities shall be designed to avoid or minimize adverse impacts of sensitive habitat and special-status species.</p>			
Impact BIO-7: Introduce non-native plants to the project site and vicinity.	<p><b>MM BIO-7 Residential Landscape and Public Access Guidebook</b></p> <p>The applicant shall hire a qualified horticulturist to prepare a Residential Landscape and Public Access Guidebook (RLPAG) that identifies plant species prohibited from use or for limited site use. The RLPAG shall utilize the most current California Invasive Plant Council (CAL-IPC) plant list, as well as additional species of management concern in Santa Cruz County.</p>	<p>CDD</p> <p>Qualified horticulturist</p>	Construction specifications prior to issuance of first building permit.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>The RLPAG shall also include guidelines regarding public access/restrictions as identified in the Habitat Conservation Plan and the Plant Resource Conservation Plan (see Mitigation Measures MM-BIO-1 and BIO 4, respectively). Public access/restrictions shall be designed to avoid or minimize adverse impacts of sensitive habitat and special-status species.</p> <p>The RLPAG shall be easy to read and include photos and graphics suitable for non-technical readers. It shall be included in Homeowners Covenants, Conditions, and Restrictions (CCRs), and distributed to all new homeowners.</p> <p>The RLPAG shall be reviewed and approved by the City of Scotts Valley prior to issuance of the first building permit.</p>			
<b>GEOLOGY, SOILS, AND SEISMICITY</b>	<b><i>Mitigation Measures Identified in the Project EIR</i></b>			
Impact GEO-3: Expose people or structures to substantial safety risks as a result of liquefaction.	<p><b>MM BIO-3 Geotechnical Report</b></p> <p>In conjunction with any future development, a geotechnical report shall be prepared by a registered civil or geotechnical engineer. This report shall include a soils report and an analysis of the liquefaction potential of the underlying materials. If an area is confirmed to be in an area prone to seismically-induced liquefaction, appropriate</p>	CDD	Review geotechnical report and ensure recommendations are included in plans prior to issuance of building permits.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>techniques to minimize liquefaction potential shall be prescribed and implemented and any structures proposed shall comply with applicable methods of the CBC.</p> <p>Suitable measures to reduce liquefaction impacts could include: specialized design of foundations by a structural engineer; removal or treatment of liquefiable soils to reduce the potential for liquefaction; drainage to lower the groundwater table to below the level of liquefiable soils, in-situ compaction of soils; or other alterations to the ground characteristics. In areas prone to liquefaction, current structural engineering methods for foundation design may not be sufficient to prevent a building's foundation from failing in a larger earthquake, which would result in stronger and longer ground shaking.</p> <p>The required geotechnical report shall be provided with any building plans and shall evaluate soil engineering properties. The geotechnical report shall be provided to the Public Works Department for review and approval prior to issuance of building permits. Measures to reduce liquefaction shall be implemented prior to issuance of any building permits. Building inspectors shall make site inspections to assure implementation of approved</p>	Registered geotechnical engineer	Prepare design-level geotechnical investigation.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	plans. Grading inspectors shall monitor technical aspects of any grading activities.			
<b>HAZARDS &amp; HAZARDOUS MATERIAL</b>	<b><i>Mitigation Measures Identified in the Project EIR</i></b>			
Impact HAZ-1: Exposure to known hazardous contaminants.	<b>MM HAZ-1 Compliance with Remediation Requirements</b> Prior to obtaining a grading, excavation, site, building or other permit from the City for development activity on the project site involving subsurface disturbance, the project applicant shall submit documentation acceptable to the Community Development Department that the work will be undertaken in compliance with all restrictions imposed pursuant to the CERCLA ROD, and/or all applicable regulations suitable for and as are required for residential construction. Such restrictions, imposed by Federal, state and local regulatory agencies will ensure that the affected portions of the project site will be used in a manner that is protective of the environment and human health.	CDD  US EPA  MBARD  County of Santa Cruz	Review documentation from relevant Responsible Agency(s) demonstrating mitigation compliance.	
Impact HAZ-2: Exposure to previously unknown hazardous contaminants.	Prior to obtaining a grading, excavation, site, building or other permit from the City for development activities involving subsurface disturbance, the project applicant shall prepare, to the satisfaction of the Community Development Department, a contaminant contingency plan, or similar acceptable to plan, as accepted by the respective responsible	CDD  US EPA  MBARD	Review documentation from relevant Responsible Agency(s) demonstrating mitigation compliance.	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p>agency(s), to address unknown contaminants encountered during development activities.</p> <p>This plan, the conditions of which shall be incorporated into the first permit and any applicable permit thereafter, shall establish and describe procedures for implementing a contingency plan, including appropriate notification and site control procedures, in the event unanticipated subsurface hazards or hazardous material releases are discovered during construction. Control procedures would include, but would not be limited to, further investigation and, if necessary remediation of such hazards or releases, including off-site removal and disposal, containment or treatment. If unanticipated subsurface hazards or hazardous material releases are discovered during construction, the requirements of this unknown contaminant contingency plan shall be followed. The contaminant contingency plan shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan.</p>	County of Santa Cruz		
<b>NOISE</b>	<b><i>Mitigation Measures Identified in the Project EIR</i></b>			
Impact N-1: Cause a temporary or periodic increase in ambient noise levels during construction that would	<p><b>MM N-1 Construction Noise Reduction</b></p> <p>To reduce the effects of construction noise, the project applicant shall ensure that the following is</p>	<p>CDD</p> <p>Building Department</p>	Review of and approval of construction plan prior to issuance of grading and building permits	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
substantially disturb sensitive receptors.	<p>included as part of all relevant construction plans for any future proposed project:</p> <p><b>Construction Equipment.</b> Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The project applicant shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions.</p> <p><b>Vehicle and Equipment Idling.</b> Construction vehicles and equipment shall not be left idling for longer than 5 minutes when not in use.</p> <p><b>Stationary Equipment.</b> All noise-generating stationary equipment, such as air compressors or portable power generators, shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA.</p>	Contractor	Prepare construction plan, including noise specifications; adhere to plan provisions during construction	

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	<p><b>Construction Route.</b> All construction traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.</p> <p><b>Workers' Radios.</b> All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.</p> <p><b>Construction Plan.</b> Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the City of Scotts Valley Building Department for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.</p> <p><b>Disturbance Coordinator.</b> A "noise disturbance coordinator" shall be designated by the contractor and be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. The coordinator shall conspicuously post a name and telephone number for the disturbance coordinator at the construction site and</p>			

Category/Impact	Mitigation Measures	Monitoring/ Reporting Responsibility	Monitoring/ Reporting Requirement	City Staff Notes; Initials/Date when Done
	include it in the notice sent to neighbors regarding the construction schedule.			